











JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
JANUARY SESSION OF 1963



EVANS PRINTING COMPANY, CONCORD, N. H.

# JOURNAL

## OF THE

### HOUSE OF REPRESENTATIVES

JANUARY SESSION OF 1963

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WEDNESDAY, JANUARY 2, 1963

The House met at 11:00 o'clock.

On the first Wednesday in January, the year of Our Lord, one thousand nine hundred and sixty three, being the day designated by the Constitution for the assembling of that body, the one hundred and thirty-eighth General Court of the State of New Hampshire convened at the Capitol in the City of Concord, and the representatives elect were called to order by Francis W. Tolman, Clerk of the House for the preceding session.

The following prayer was offered by Reverend Donald Donica, chaplain at the New Hampshire State Hospital in Concord:

Mighty God,

We pause to search our conscience and to invoke the guidance of thy spirit for this legislature.

These men and women are faced with difficult tasks. May they be capable of them.

Frustrate with failure and disappointment any who sponsor immoral unrighteous legislation which seeks privileges for the few to the detriment of the many.

Raise up among this assembly humble men and women of honor who will toil patiently and relentlessly toward the common good. May they have wisdom and strength to wrestle with the knotty problems and hard battles marching toward them. Inspire and encourage them with multiple successes.

We remember that even when we do our best no one of us is ever as good or wise as he should be; So we pray that, in thy mercy, these men and women may find forgiveness for the many mistakes and unrighteous errors they may commit in the coming six months.

May the citizenry be grateful for whatever good this legislature manages to accomplish.

In thy Spirit; Amen.

### **Pledge of Allegiance to the Flag**

Mr. Larty of Haverhill led the House in the Pledge of Allegiance to the Flag.

The Clerk called the roll and 383 members having answered the roll, the Clerk declared a quorum present.

Mrs. Weber of Croydon resolved that a committee of three be appointed by the Clerk to wait upon His Excellency the Governor and inform him that a quorum of the House is assembled and requests his attendance.

The resolution was unanimously adopted, and the Clerk appointed as members of such committee Mr. Allen of Meredith, Mr. Brooks of Stewartstown and Mrs. Gagnon of Berlin.

His Excellency, the Governor, having been informed that a quorum of the House was assembled, appeared, accompanied by the Honorable Council and the following named ladies and gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oath of office agreeably to the provisions of the Constitution.

### **Roll Call**

January 2, 1963

Yeas — 383

ROCKINGHAM COUNTY: Griffin, Vey, Persson, Underwood, Cummings, Watts, Gay, Kimball of Derry, Scott, White of Derry, Nicker-

son, Hackett, Collishaw, Eastman of Exeter, Purington, Wheeler, Wylie, Weeks, Spollett, Casassa, Ring, Shindledecker, Merrill, Palmer of Kensington, Clark of Kingston, Shepard, McDonough, Sewall, Twardus, Cheney, Carter, Pinkham, Palmer of Plaistow, Schwaner, Keefe, McEachern, Murch, Stafford of Portsmouth, Sadler, Dame, Osborn, White of Portsmouth, Cavalieri, Coussole, Frink, Legasse, Langford, Greene of Rye, Young, Canty, Grant, Morrill, Morrison, Peever, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Nelson, Grimes, O'York, Fellows, Smith of Dover, Colbath, Richardson, Tuttle, Maglaras, Bevan, Crouch, Littlehale, Drew, Canney, Clark of Lee, Adams of Madbury, Moulton, Hartigan, Marsan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Chase, Johnson of Rochester, Clement, Varney, Green of Rollinsford, Maloomian, Habel, Cormier, Hebert, Vincent, Littlefield, Bennett of Strafford.

BELKNAP COUNTY: Perkins, McAllister, Bolduc, Matheson, Goodhue, Uhlenberg, Lacaillade, McCarthy, Harkins, Normandin, Ayre, Prescott, Hayner, O'Shan, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Roberts, Taylor of Effingham, Blanchard, Blake, Lamprey of Moultonborough, Diffenderfer, Brown of Sandwich, Remick, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro, Claffin.

MERRIMACK COUNTY: Guilbeault, Phelps, Fairbanks, Hanson, Moore, Asby, Hutchinson, LaFlamme, York, Upton, Henry, Dame of Concord, Hancock, Bingham, Smith of Concord, Andersen of Concord, MacDonald, Peaslee, Sanders, Ferguson of Concord, Gove, Maxham, Newell of Concord, Welsh, Rufo, McKay, Stevens, Kelley of Franklin, Gilman, Charland, Dempsey, Lafond, Lambert, Reddy, Brown of Loudon, London, Thompson of Northfield, Plourde, Robinson, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Farwell, Whitney, Barnard, Bartlett, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Pickering, Eaton, Brocklebank, Bednar, Claveau, Gallagher, Provencal, Legallee, Warren, Ainley, Feldman, Lang, Pettigrew, Soucy, Conover, Goode, Kimball of Manchester, Mahoney of Manchester, ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Healy, O'Conner, LaFrance, LeClerc, Martel, Tessier, Bernier, Champagne, Cote, Delisle, Moran,

Wade, Morris, Belanger, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Levasseur, Naleste, Allard of Manchester, Gauthier, Rousseau, Gamache, Grady, Tremblay of Manchester, Vachon, Buker, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Cooper, Underhill, Dionne of Nashua, ward 2, Thibault, Belcourt, Trombly of Nashua, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Dubois, Latour, Lavallee, Sablowski, Desmarais of Nashua, Dumais, Todd, Karnis, Garland, Peabody, Peterson, Rice, Eastnan of Weare, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Turner, Stearns, Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, ward 1, Pollock, Shea of Keene, ward 2, Belletete, Heald of Keene, Bennett of Keene, Faulkner, Pickett, Russell, Oliver, Forbes, Bennett of Richmond, Allen of Rindge, Bouvier, Hackler, Ballam, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Gaffney, Angus, Campbell, Nahill, Barrows, D'Amante, Desnoyer, Guest, Weber, Marx, Bailey, Downing, Spanos, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Boutin, Stevenson, Plumer, Willey, Grey, Goodfellow, Morse, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, Larty, McMeekin, Beard, Coutermarsh, Demers, Lewis, Whipple, McGee, Brummer, Kelley of Littleton, Martin of Littleton, Park, Cushman, Bell, Smith of Plymouth, Barney, Anderson of Warren, Bean, Berringer.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Marsh, Nash, Graham, Keough, Thayer, Sherman, Shute, Fogg, Bushey, Potter, Arsenault, Brooks, Stinson, Taylor of Whitefield.

On motion of Mr. Shepard of Londonderry, Mr. McMeekin of Haverhill was elected temporary presiding officer.

The Clerk appointed Mr. Goode of Manchester, Mr. Peterson of Peterborough and Mrs. Taylor of Whitefield as a committee of three to escort Mr. McMeekin to the Chair.

(Mr. McMeekin in the Chair)

On motion of Mr. Kearns of Manchester the House proceeded to elect a Speaker.

Mr. Taft of Greenville nominated Mr. Lamprey of Moultonborough.



On motion of Mr. Pappagianis of Nashua the nominations were closed and the Clerk cast one ballot for Mr. Lamprey of Moultonborough for Speaker of the House of Representatives.

The Chair appointed Mr. Peterson of Peterborough, Mr. Pappagianis of Nashua and Mr. Clement of Rochester as a committee of three to escort Mr. Lamprey to the Chair.

(Speaker in the Chair)

The Speaker addressed the House briefly, expressing his appreciation of the honor and responsibility of his position, and stating his confidence that the membership of the House of both parties would work together during the coming session for the welfare of the State.

The Speaker announced that Mr. Peterson of Peterborough would serve as Majority Floor Leader for the 1963 session and that Mr. Pappagianis of Nashua would serve as the Minority Floor Leader.

Mr. Pappagianis of Nashua placed in nomination for Clerk, Francis W. Tolman of Nelson, Assistant Clerk, J. Milton Street of Sharon, for Sergeant-at-Arms, Lloyd E. Fogg of Milan, for Doorkeepers, George Young of Campton, Mrs. Bertha Boutwell of Concord, Mr. Randolph Milligan of Newbury, Harry J. A. Robinson of Dover and Herbert Richardson of Randolph.

Mr. Peterson of Peterborough moved that the nominations be closed and the Clerk cast one ballot for the above candidates.

On a *viva voce* vote the motion prevailed and they were declared elected.

Mr. Plourde of Suncook offered the following resolution:

*Resolved*, That the Honorable Senate be informed that the House of Representatives has organized by the choice of Stewart Lamprey as Speaker, Francis W. Tolman as Clerk, J. Milton Street as Assistant Clerk, Lloyd E. Fogg as Sergeant-at-Arms and George Young of Campton, Mrs. Bertha Boutwell of Concord, Mr. Randolph Milligan of Newbury, Harry J. A. Robinson of Dover and Herbert Richardson of Randolph as Doorkeepers.

The Resolution was unanimously adopted.

### Senate Message

The Senate has organized by the choice of Philip S. Dunlap as President, Benjamin F. Greer as Clerk, Arthur G. Marx as Counsel to the Senate, Esther T. Hurd as Senate Recorder, Nathan A. Tirrell as Sergeant-at-Arms, Daniel F. Cronin as Doorkeeper, and Charles Woodbury as Messenger.

A further Senate message announced that the House of Representatives be informed that the Senate will be ready to meet in joint convention for the purpose of canvassing the votes for Governor and Councilors and for the election of Secretary of State and State Treasurer.

Mr. Todd of New Boston offered the following resolution:

*Resolved*, That the House of Representatives will be ready to meet the Honorable Senate today at 12:00 o'clock for the purpose of receiving His Excellency, the Governor, and listen to any communication he may be pleased to make.

The Resolution was unanimously adopted.

Mr. Blake of Madison offered the following resolution:

*Resolved*, That a committee of five be appointed by the Chair to wait upon His Excellency, the Governor, and inform him that a quorum of each branch of the legislature has assembled and is ready to receive any communication he may be pleased to make.

The resolution was adopted, and the Speaker named as such committee Messrs Merrill of Hampton Falls, Wylie of Freemont, Marsan of Rochester, Dumont of Berlin and Spanos of Newport.

### Recess

### After Recess

### Joint Convention

The Governor appeared accompanied by the Honorable Council and addressed the Joint Convention.

## GOVERNOR POWELL'S MESSAGE TO THE GENERAL COURT

January 2, 1963

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Mr. Speaker, Mr. President, Honorable Members of the Executive Council, Honorable Members of the General Court:

Over the years, outgoing Chief Executives have delivered sometimes what is called an "exaugural address." In recent days, there has been study upon the question whether I should be silent upon this occasion or here list the many steps of progress which have marked these four years and two terms of office now ended. Upon this question I have concluded to compromise.

Before launching into remarks which will be brief, I would like to extend a warm word of welcome to your State House, to each and every one of you, but especially to those who are entering upon service in the General Court for the first time. Yours is a precious opportunity. Yours is the kind of special privilege which is good special privilege.

You know, they frequently refer to the House of Representatives as the third largest English speaking legislative body in all the world, and that it is. But large as it is, and especially in relation to our barely in excess of 600,000 citizens of New Hampshire, it is also a fact that the opportunity to serve here comes in the course of each generation to only a relatively few thereof. What is said with regard to the precious opportunity which is that of each individual elected to the House can be said over and over again, in proportion, about those who are selected by their fellow citizens to serve in the Senate, for that Chamber is inhabited by only 24 people. So how very true it is that as each generation runs its course, so very few are privileged to sit therein in service to the people of our State.

Then of course we could take one step farther or a few steps more down the corridor — the pathway it has been my privilege and honor to tread through 2 sessions of the General Court — to the Governor and Council Chamber where only five citizens sit in each two year period by selection of their fellow citizens. How true it is, therefore, that as each generation passes along the highways and the streets of the Granite State so very few have the honor and the pleasure of sitting at that table.

Then we could move from the Executive Chamber a few steps to the corner room and we could begin in the beginning back in the days of the American Revolution when even then New Hampshire was foremost in the cause of liberty and freedom and we could not count very high in numbering the citizens of our State of these many generations who have offered themselves successfully in service to this the greatest and most beautiful State as Chief Executive thereof.

All of which brings to mind on an occasion such as this how vivid will be the picture in the mind's eye of the scenes I have enjoyed as a part of this work and also how vivid will be the picture of the mind's eye inescapably of some scenes not quite so pleasurable. But beyond the scenes there will be the sharp memory of the words which have been spoken, the words which have been heard. Sometimes pleasant and constructive words — sometimes words less pleasant — sometimes words obstructionist in character.

And on this occasion, as one who is still at an age less than the half century mark in the thrilling walk of life, memory reaches back beyond election to this position. It reaches back to the first time I made my decision to offer myself in public service as an elected official. I lost on that occasion as most of you are aware and I lost again in 1954 and I lost again in 1956 and then finally in 1958 won twice, a primary and an election. Then that victorious course was repeated in 1960, only to be reminded in 1962 that the way to victory had not been easy and can never be considered an easy way; that the way must always be marked with some victories and some defeats.

The only reason for mentioning these past years this morning is by way of seeking, through the richness of experience, to pass along especially to those of you who are here for the first time some word of counsel.

When I first offered myself and lost, holding to my conscience was the hardest task I ever faced to that time. I remember and shall never forget, for there are the words and there are the promises and there are the scenes always and you do not have to go out of this building to find the setting of the scene, there they are always as a reminder that one can achieve on his own if his allegiance is to principle; one need not yield himself to that which he believes in his soul is wrong.

Not to be ministerial this morning, but because I think these are the most precious moments I have had in this Chamber, I would like to remind you that in the Gospel according to St. Matthew, Fourth Chapter, the 8th and 9th verses, we read as follows, and I read this especially to those who are new here and to whom the future of this place and every precious corner of New Hampshire belongs: "Again, the devil taketh him up to an exceeding high mountain and showeth him all the kingdoms of the world and the glory of them and sayeth unto him, 'All these things will I give thee, if thou wilt fall down and worship me.'"

When the history of the nineteen fifties and nineteen sixties is written, and perhaps the individual to whom you listen this morning will be privileged to write a page or two, I know those pages will glow with the precious and beautiful truth that I came to this place with no commitment except a commitment to all of the people of New Hampshire to try, in the light I had, to do the best I could.

In October, 1863, a group of clergymen called upon one A. Lincoln, then the presiding magistrate at the White House. The purpose of the call was to encourage the President in a dark hour of civil strife then afflicting him and our land. In the course of his response and by way of underlining his reliance upon a supreme being, Mr. Lincoln spoke these words: "I saw upon taking my position here, that I was going to have an Administration, if an Administration at all, of extraordinary difficulty."

Today I remark to you that such was my own view of the future when I walked to the front steps of this edifice early in January, 1959, to take the oath of office of Governor. Yet, the fields over which I had travelled to this place had been so well mined that I knew in that same month and year that there was really nothing more to fear in the hills and valleys which were ahead of me. Also, I knew that in the uncertain course marked off for each of us by the sometimes loud and sometimes quiet ticks of time there would be not only the hazards, but joys unspeakable.

The worst problems of this high place are created by those who for their own reasons would like to name the course of the ship of State. These people are recognized largely by the manner in which they shout at each other from their respective publishing houses.

In the nineteen sixties most of the press of the nation could not see beyond their own or Abe Lincoln's nose. Most of the New Hampshire press at that time disgraced the State by foul references to a President whose struggle toward victory, recovery and progress was made the harder by the idiocy of those who wanted to declare the course of the war with printing presses which jumped with hate.

One hundred years later most of the press of the Granite State continues on its narrow way, more interested in power than in progress. Yet we cannot afford at this point in the forward march of New Hampshire a doctrine of prejudice or a doctrine of hate born of frustration in those who can not be governors or senators or name or control such stewards of government, at least.

Let the journals of this General Court record these truths this day just as your individual minds have had to take note of the press violence in our state over the years and over the months.

In the two terms I have served there have been victories and defeats. There have been compromises, too, sometimes for better and sometimes for worse, we know now. Yet, it is good to be able to say in the closing hours that almost every day has been more happy and fruitful than sad and barren.

Whether some like it or not, these years are marked indelibly as the most progressive in the history of the Granite State. A majority of those who served in the Legislature these past two sessions and especially the Session of 1961 are due abiding thanks and high praise for joining with the Chief Executive in a memorable forward march and for refusing to straggle or surrender when the fighting was tough.

We can be thankful for our victory over the standpatters in achieving reorganization.

We can be thankful we gained the 10 million dollar beachhead for recreational expansion.

We can be thankful for the increase in bonding capacity for the Industrial Park Authority and the over all broadened capacity of that agency to attract new industry to New Hampshire.

We can rejoice over highway construction and restoration acceleration.

We can be happy that after some three and one half centuries, our State Government is actually developing the port of Portsmouth and that other seacoast harbor development projects are underway.

We can be happy that underway is our State's biggest in history capital improvement program which has been so long urgently needed to modernize reasonably most of our institutions and to provide better care for the physically and mentally ill, to provide increased educational opportunities for our youth.

We are happy more is being done than ever before for our local communities and our school districts, for our school teachers' retirement, our police, our firemen and for the state employee family.

We can be happy we are at the top among the states in industrialization, in growth of personal income, in increase of tourist trade and in economic growth generally.

We can be thankful the strides of progress made during these four years have been shared in generously by New Hampshire labor through an increased minimum wage, increased workmen's compensation, increased unemployment benefits, increased efficiency in the services rendered by our Labor Department and the Department of Employment Security and, not the least, that New Hampshire labor shares in the beautiful truth that of all the 50 states in the Union, we in the Granite State have the lowest unemployment ratio in the nation.

We can be proud we have underway in New Hampshire a medical aid program for our elderly citizens of limited income and that we are giving more dollar aid and better care to our elderly citizens who have nothing.

We can be happy we have a substantial state aid program underway for pollution control.

We can be thankful for our expanded airport program and for the effort underway to improve our other public transportation facilities.

We are happy the New Hampshire story is being better and more widely told in region, nation and world, toward the economic progress of our every citizen.

We can point with pride to the fact that more is being done for all New Hampshire, for all segments of our population and economy, that we are spending millions more than were spent for the public good four years ago. Yet we have not levied new forms of taxation upon our people, our budget is balanced, our credit rating is tops in the nation and this administration is leaving behind funds nearly sufficient to continue in the next biennium the new spendings we have established.

By way of preface to a friendly remark regarding my successor, I want to mention the fact that mine has been a Republican administration. However, my program of progress for all New Hampshire was made possible by Democratic help, as was my election and my re-election.

Mr. King is a Democrat. He was elected with Republican help. He can help build an even better New Hampshire only with Republican help. I believe my knowledge of this Legislature justifies my confidence that a majority of you will support the new Governor in any constructive and forward moving program he presents. And may I say, if a Democrat can succeed in spending millions more for the common good and maintain a balanced budget without new and burdensome taxes, as this Republican has done, he will deserve kind words. He may not get them but he will deserve them.

Frankly, I hope the day is near at hand when a representative group of citizens interested chiefly in the common good will gather as a Constitutional Convention to the end that as other states in the Federal Union have done, New Hampshire may update its basic law, truly modernize its government and provide legislative authority to update our system of taxation as the General Court, representative of all the people, finds it convenient to do.

The answer to the problems of our children, in my opinion, is not to be found at an even wider parimutuel window. It is not to be found in a careless attitude toward right or wrong, nor in the thought that as long as our state government lives in part off betting, it might as well live entirely off liquor, cigarettes, horse racing, dog racing and just plain wagering.

This precious problem, precious because our children are precious, as their children will be precious to them, has no easy way through it. Not even when I sought this position the first



time did I declare against every form of new tax. I pledged myself against certain taxes and I have kept the pledge. Any such pledge to our people must be kept or confidence in government will be lost.

Were I to seek this place again, there still would be no flat pledge against all new taxes. There would be a pledge to continue our firm march into the future and there would be a pledge to finance the march with those revenues a fair-minded legislature would approve, revenues which would place a reasonable check upon property, stock-in-trade and agricultural taxes and at the same time not violate the conscience of any citizen or open the floodgates of moral callousness.

I started this message with a reference to Mr. A. Lincoln, late a President of the United States. I believe I shall bring it to a close in like manner. First, however, my personal appeal to each of you to open your eyes even wider to behold not only the present-day wonders and beauties of New Hampshire, but to see beyond to the day when, by the grace of God, you will behold from the Heavens what you have left behind and what the yet unborn are doing with it.

And hear my appeal to open your ears even wider to the sound of the drums of progress and to match your own footsteps to the beat. Then, if defeat comes, there will be a certain joyousness to it. When the carping critic whines away, there will be sorrow in your heart for him. And should even the pain of death or near-death touch you in the stillness of the night, there will be the brightness of your deeds, the gladness that comes from not having shirked the battle, the crowning joy of having planned for the day ahead.

“With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in . . .”

God bless you all!

\* \* \*

Mr. Campbell of Claremont offered the following resolution:

*Resolved*, that the Honorable Senate and House of Representatives are in Joint Convention for the purpose of canvassing the votes for Governor and Councilors and the returns of votes for and against the necessity of calling a constitution con-

vention in the last election and for the election of a Secretary of State and a State Treasurer.

The resolution was unanimously adopted.

Mrs. Cole of Nashua offered the following resolution and moved its adoption:

*Resolved*, That the Honorable Secretary of State be requested to lay before the convention the returns of the votes for Governor and Councilors, and the return of votes for and against the necessity of calling a constitutional convention in the last election.

The resolution was adopted.

The Honorable Secretary of State then appeared and laid before the Convention the returns of the vote for Governor and Councilors, and the returns of votes for and against the necessity of calling a Constitutional Convention in the last election.

Mr. Pickett of Keene offered the following resolution and moved its adoption:

*Resolved*, That the vote for Governor and Councilors, and the returns of votes for and against the necessity of calling a constitutional convention, be referred to a committee consisting of one on the part of the Senate and two on the part of the House to compare and count the same and report thereon.

The resolution was adopted.

### Report of Committee

Senator Rainie for the Joint Committee, to whom was referred the return of the votes cast for Governor and Councilors at the last biennial election, and the return of votes for and against the necessity of calling a Constitutional Convention, reported that it had examined, compared and counted the same, with the following results:

#### For Governor

	John Pillsbury	John W. King
Rockingham	15,712	20,012
Strafford	8,003	13,327
Belknap	5,381	6,318

Carroll	4,066	2,345
Merrimack	12,284	15,139
Hillsborough	22,939	50,627
Cheshire	7,533	7,368
Sullivan	4,551	5,150
Grafton	9,129	7,206
Coos	4,969	7,989
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Totals	94,567	135,481

**For Councilors****First District**

John P. Bowler, Hanover, r	20,750
Romeo J. Lavigne, Berlin, d	13,067

Plurality for Bowler	7,683
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**Second District**

Fred W. Hall, Jr., Rochester, r	27,862
Francis J. Mahoney, Seabrook, d	19,041

Plurality for Hall	8,821
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**Third District**

Paul M. Martel, Manchester, r	16,804
Emile Simard, Manchester, d	28,659

Plurality for Simard	11,855
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**Fourth District**

Fred Fletcher, Milford, r	24,846
John D. Wilcox, Nashua, d	24,352

Plurality for Fletcher	494
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**Fifth District**

James H. Hayes, Concord, r	25,878
Martin F. MacDonald, Andover, d	15,602

Plurality for Hayes	10,276
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**Vote on the Constitutional Convention Question**  
**Election on November 6, 1962**

	Yes	No
Rockingham	13,100	9,156
Strafford	8,482	3,440

Belknap	5,423	2,546
Carroll	2,315	1,813
Merrimack	11,512	5,811
Hillsborough	32,606	15,020
Cheshire	6,137	3,529
Sullivan	4,381	1,970
Grafton	6,023	3,641
Coos	4,618	2,492
Totals	94,597	49,418

The report was accepted.

\* \* \*

Mr. Noel of Manchester offered the following resolution and moved its adoption:

*Resolved*, That the Convention proceed with the election of a Secretary of State.

The resolution was adopted.

Mrs. Potter of Northumberland placed the name of Robert L. Stark before the Convention as nominee for the Secretary of State. Senator Hodgdon of District No. 4 seconded the nomination.

Mr. Pappagianis of Nashua moved that the nominations be closed and that the Clerk cast one ballot for the election of Robert L. Stark as Secretary of State.

On a *viva voce* vote the motion prevailed.

The Chair declared Mr. Robert L. Stark duly elected Secretary of State.

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Mr. Buker of Merrimack offered the following resolution:

*Resolved*, That the Convention proceed with the election of a State Treasurer.

On a *viva voce* vote the resolution was adopted.

Mr. Bigelow of Warner placed in nomination Mr. Alfred S. Cloues as Treasurer. Senator Karkavelas of District No. 21 seconded the nomination.

Mr. Pappagianis of Nashua moved that the nominations be closed and that the Clerk cast one ballot for the election of Alfred S. Cloues as Treasurer.

On a *viva voce* vote the motion prevailed.

The Chair declared Mr. Alfred S. Cloues duly elected Treasurer.

On motion of Senator Rainie of District No. 15 the Joint Convention rose.

### House

Mr. Fairbanks of Boscawen offered the following resolution:

*Resolved*, That a committee of eight be appointed by the Chair to wait upon the Honorable John W. King and inform him officially of his election as Governor of the State of New Hampshire.

The resolution was adopted and the Chair appointed Sen. Monahan of Dis. No. 5, Messrs. Pappagianis of Nashua, Grimes of Dover, Gilman of Franklin, Cullity of Manchester, Moran, Ward 8 of Manchester, Kearns of Manchester and Desnoyer of Claremont as a committee.

Mr. Latour of Nashua offered the following resolution:

*Resolved*, That a committee of six be appointed by the Chair to wait upon the Honorable Councilors: John P. Bowler, Fred W. Hall, Jr., Emile Simard, Fred Fletcher and James H. Hayes and inform them officially of their election to the Honorable Council.

The resolution was adopted and the Chair appointed Sen. Martel of Dis. No. 17, Messrs. Johnson of Hanover, Varney of Rochester, Kearns of Manchester, Ferguson of Milford and Gove of Concord as a committee.

Mr. Beard of Lebanon offered the following resolution:

*Resolved*, That the House of Representatives has listened with gratification to the message of Governor Wesley Powell and hereby express to him the high esteem in which we hold him.

The resolution was unanimously adopted.

Mrs. Potter of Northumberland offered the following resolution:

*Resolved*, That the Clerk be instructed to have the address of Governor Wesley Powell printed in the Journal and that 600 additional copies be printed in pamphlet form.

The resolution was unanimously adopted.

Mr. Soucy of Manchester offered the following resolution:

*Resolved*, That the Speaker of the House be authorized to appoint one custodian of mails and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker and such other assistants as may be necessary and approved by the Committee on Rules.

On a *viva voce* vote the resolution was adopted.

Mr. Phelps of Andover offered the following resolution:

*Resolved*, That the Clerk, with the approval of the Speaker, may employ such stenographic and other clerical assistance as he may deem necessary.

On a *viva voce* vote the resolution was adopted.

Mrs. Grey of Canaan offered the following resolution:

*Resolved*, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the legislature and report such selection to the House for consideration.

The resolution was adopted and the Chair appointed as members of such committee, Messrs. Maxham of Concord, Eastman of Exeter, Blanchette of Dover, Matheson of Center Harbor, Claveau of Hudson, Keating of Keene, Gaffney of Claremont, Thayer of Jefferson, Howard of Bartlett and Mrs. Haywood of Hanover.

Mr. Davis of Greenfield offered the following resolution:

*Resolved*, That a committee of four be appointed by the Speaker to assist the Clerk in providing as soon as possible 1,500 paper bound copies of the Legislative Manual in substantially the same form and binding as that of 1961.

The resolution was adopted and the Speaker appointed as members of such a committee the following: Messrs. McMeekin of Haverhill, McKay of Dunbarton, Sabluski of Nashua and Brummer of Lisbon.

Mr. Peterson of Peterborough and Mr. Pappagianis of Nashua offered the following resolutions:

*Resolved*, That all action taken at all sessions of the House of Representatives be recorded through the public address system on tape, said tape to be used by the House and the Clerk, within three legislative days, to confirm and correct the permanent journal. The permanent journal as thus prepared by the Clerk or as corrected by the House shall be the official record of the House, and be it further

*Resolved*, That the Committee on the Journal be authorized to examine the permanent Journal of the last day of the session, as prepared by the Clerk, and make corrections of the same.

On a *viva voce* vote the resolutions were adopted.

Mr. Vachon of Manchester offered the following resolution:

*Resolved*, That the speaker appoint a committee of three to assign seats to the members.

The resolution was adopted and the speaker appointed on such a committee, Messrs. Hambleton of Goffstown, Pryor of Ashland and Cote of Manchester.

Mrs. Taylor of Effingham offered the following resolution:

*Resolved*, That the speaker be authorized to appoint a committee of three to procure and assign suitable hearing rooms for various committees of the House.

The resolution was adopted and the Speaker appointed the following; Messrs Bigelow of Warner, Stevens of Epsom and Plourde of Pembroke.

Mrs. Hayner of Laconia offered the following resolution:

*Resolved*, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House and officers thereof, during the days when the House is in session, one daily newspaper published in the state, each member and officer to choose the paper he desires to have and indicate the same to the Sergeant-at-Arms forthwith.

Mr. Ferguson of Concord spoke against the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. O'Shan of Laconia offered the following concurrent resolution:

*Resolved*, by the House of Representatives, the Senate concurring: That the Speaker of the House of Representatives and the President of the Senate be and hereby are, authorized to take over immediately such rooms in the state house or annex as may be necessary for the use of said House of Representatives and Senate for any legislative purposes.

On a *viva voce* vote the resolution was adopted.

Mr. Shepard of Londonderry offered the following resolution:

*Resolved*, That the Clerk, with the approval of the Speaker, may employ such professional assistants as may be deemed necessary for the assistance of the engrossing committee in the performance of their duties.

The resolution was adopted.

Miss Whipple of Lebanon offered the following resolution:

*Resolved*, That the salary of the members of the House of Representatives be so divided that any member may receive one-fourth of his salary monthly for the first three months, the balance to be paid at the adjournment of the session, and be it further

*Resolved*, That mileage of members of the House of Representatives be paid every two weeks during the session.

On a *viva voce* vote the resolutions were adopted.

Mr. Taft of Greenville offered the following resolution:

*Resolved*, That the Clerk of the House be instructed to procure 1500 copies of a pamphlet containing membership of standing committees.

The resolution was adopted.

Mrs. Cooper of Nashua offered the following resolution:

*Resolved*, That the following policy be established for the distribution of House journals, bills and joint resolutions to legislative agents, corporations and other persons, except the members of the General Court and state departments:



1. Every citizen is entitled to one copy of any publication free of charge at the legislative counter or to have the same mailed to him free of charge upon individual request for such one copy.

2. Persons requesting copies of all publications delivered complete for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be prorated where service is received for portions of the session only. All fees will be payable in advance.

3. All fees charged hereunder shall be fixed by the Sergeant-at-Arms with the approval of the Speaker and shall be collected by the Sergeant-at-Arms and paid in to the state treasury and credited to the legislative appropriation. Any house attache who works overtime to furnish any of the services hereunder shall be allowed such additional sum for his overtime services as the Appropriations Committee shall deem fair and reasonable.

The resolutions were adopted.

Mr. Stevenson of Bethlehem offered the following concurrent resolution:

*Resolved* by the House of Representatives, the Senate concurring: That, because of limitations and mechanics of printing bills by the offset method, no more than three sponsors shall be permitted on any one bill.

The resolution was adopted.

### **Rules Amendment**

Messrs. Peterson of Peterborough and Pappagianis of Nashua offered the following resolutions:

*Resolved*, That the rules of the House of Representatives adopted by the session of 1961 be adopted as the rules of this present session with the following amendments:

1 Rule 26 shall be amended to read as follows:

26. When a question is postponed indefinitely the same shall not be acted upon during the session except whenever two-thirds of the whole number of elected members shall, on division taken, vote in favor thereof, and not otherwise. No motion to suspend this rule shall be permitted.

2 Amend rule 35 by striking out the first paragraph and inserting in place thereof the following:

The following standing policy committees, to consist of twenty-one members each, shall be appointed at the commencement of any session: Committees on Agriculture, Appropriations, Banks, Claims and Aeronautics, Education, Executive Departments and Administration, Fish and Game, Insurance, Judiciary, Labor, Liquor Laws, Military and Veterans' Affairs, Municipal and County Government, Resources, Recreation and Development, Public Health, Public Works, Public Welfare and State Institutions, Transportation, and Ways and Means.

3 Strike out the paragraph relative to Committee on Aviation. Strike out the paragraph relative to Committee on Claims and insert in place thereof the following:

It shall be the duty of the Committee on Claims and Aeronautics to consider and report on all claims against the state, whether chargeable against Special Funds or the General Fund, if the amount of the claims is two thousand five hundred dollars (\$2,500) or less, and to consider and report on such other matters as may be referred to it. The Committee shall also consider all matters relating to the operation of aircraft, the regulation, control and advancement of aviation.

Strike out the paragraph relative to Committee on Finance and transfer the duty of said committee to the Committee on Appropriation.

*Resolved*, That any further amendments to the rules of the House may be presented for consideration at any time prior to January 10, 1963.

On a *viva voce* vote the resolutions were adopted.

### Senate Message

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolution sent up from the House of Representatives:

Concurrent Resolution for the assignment of rooms.

### Communications

To the General Court of the  
Session of 1963 of New Hampshire.

Attention of the Speaker and the House Election Committee.

Harts Location sent its last Representative to the session of 1953. The laws of 1951 Chapter 247, from which I now quote "And such other Towns having a right under the constitution to elect a Representative AT LEAST ONCE IN EVERY TEN YEARS" etc. etc. and refer you to the amendment of this law by the 1961 General Court — said amendment in no way nullifies the right of part time Towns to sit every ten years.

And as this session of 1963 is the one in which Harts Location should have the right to a seat I now petition you to sit me, as I received a write-in vote of one tenth of the check list at the November 1962 town election.

It would seem that the committee of the House 1961 whose duty it was to list the seats to Towns not entitled to seats but once in TEN YEARS made an error as their listing allotted a seat to Harts Location in 1966 — which is contrary to the laws above quoted and which are in force now.

Having served on the election committee of the session of 1953 I know I am correct in placing my petition in your hands.

Yours very truly

FLORENCE MOREY

Moderator of Harts Location.

Member of Carroll County Delegation.

December 10, 1962.

\* \* \*

December 29, 1962

Hon. Robert L. Stark,  
Secretary of State,  
Concord, New Hampshire  
Dear Mr. Stark:

Due to conditions at my home I regret to say that I cannot serve as Representative from the Town of Easton. I therefore respectfully hereby tender my resignation.

Will you please give this letter to the proper Legislative Committee?

Thanking you I am,

Sincerely,

Oliver L. Bowles

Easton, N. H.

The communications were referred to the committee on Elections.

\* \* \*

The Chair announced that today is the birthday of Lloyd Fogg, Sgt.-at-arms.

### Recess

### After Recess

Mr. Kimball of Manchester offered the following concurrent resolution:

*Resolved*, by the House the Senate concurring: That the Joint Rules of the 1961 session be adopted as the Joint Rules of the Senate and House for this session. Provided, that amendments to the Joint Rules may be presented for consideration at any time prior to January 10, 1963.

On a *viva voce* vote the resolution was adopted.

### Rules Committee

The Speaker announced that the Rules committee would consist of the following members: The Speaker, Chairman, Peterson of Peterborough, Vice Chairman, Mrs. Weeks of Greenland and Messrs. Goode of Manchester, Shepard of Londonderry, Pappagianis of Nashua and Kearns of Manchester.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at three o'clock be in order at the present time, that reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

On motion of Mrs. Shea of Keene the House adjourned at 1:38 o'clock.

THURSDAY, JANUARY 3, 1963

The House met at 11:00 o'clock.

### **Joint Convention**

Prayer was offered as follows by Reverend George Papaioannou of St. George Greek Orthodox Church in Manchester:

Oh Lord and God of all power and wisdom, we thank thee for this brotherly togetherness in which many of thy people have come to witness the inauguration of their elected leader in seeking thy blessings upon him, and our state, and its leadership.

We thank thee Oh Lord for this country and our state where many groups of diverse origins live in freedom, and in national unity, under one flag, and worship the everlasting King of the Universe, according to the dictates of their consciences, and the traditions of their venerable fathers.

As we live free and try to do what is dutiful and pleasing unto thee, we invoke thy blessing and protection upon our Governor John King, and on the entire General Court, who is entrusted with the leadership of this great state. Bless their efforts that justice and dignity may be fulfilled. May the Grace of Our Lord Jesus Christ, and the love of God, the father, and the communion of The Holy Spirit, be upon them during the exercise of their duties, and all the days of their lives and upon all of us. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Sheridan of Berlin led the Convention in the Pledge of Allegiance to the Flag.

### **Leave of Absence**

Mrs. Ayre of Laconia was granted a leave of absence for the day on account of important business.

### **House**

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table, and referred as follows:

HB 1, relative to exemption from liability in certain cases under the civil defense act. (Maxham of Concord) to Judiciary.

HB 2, providing for a primary for the nomination of candidates for the city of Rochester (Marsan of Rochester) to Rochester Delegation.

HB 3, relative to clerical assistants for the supreme court. (Upton of Concord) to Appropriations.

HB 4, relative to the disposal of papers and records for department of public works and highways. (Nickerson of East Kingston) to Public Works.

HB 5, relative to physicians and surgeons, fees for examinations for practice. (Maxham of Concord) to Public Health.

HB 6, relative to the classification of a highway in Newton. (Cheney of Newton) to Public Works.

HB 7, authorizing the attorney general to act as attorney for department of safety employees. (Shepard of Londonderry) to Judiciary.

HB 8, to make unlawful certain fraudulent dealing with collateral which is subject to a security interest. (Upton of Concord) to Judiciary.

HB 9, relative to the salary of the justice of the Portsmouth municipal court. (Stafford of Portsmouth) to Portsmouth delegation.

HB 10, increasing the salary of the clerk of the Portsmouth municipal court. (Stafford of Portsmouth) to Portsmouth delegation.

HB 11, relative to meetings of highway agents for instruction. (Haseltine of Merrimack) to Municipal and County Government.

HB 12, providing for a commission to study the state constitution. (McEachern of Portsmouth) to Judiciary.

HB 13, relative to the salary of the treasurer of Rockingham County. (Purington and Eastman of Exeter) to Rockingham County Delegation.

HB 14, relative to county appropriations for fire mutual aid systems. (Willey of Westmoreland) to Municipal and County Government.

HB 15, providing for certain deductions from retirement benefits for employees of political subdivisions. (Rufo of Concord) to Executive Departments and Administration.

HB 16, relative to resurfacing of the Eastern and Central turnpikes. (McGee of Lincoln) to Public Works.

HB 17, transferring Brookfield and Wakefield from councilor district 2 to district 1. (Hughes of Brookfield & Fox of Wakefield) to Executive Departments & Administration.

### Reconsideration

Mr. Kimball of Manchester served notice of reconsideration of the vote whereby the House passed a resolution to tape record the proceedings of the House.

Mr. Soucy of Manchester served notice of reconsideration of the vote whereby the House passed a resolution regarding appointments to the staff of the House.

### Resolutions

Messrs. Belanger, Bergeron and Kearns of Manchester offered the following resolutions:

*Whereas*, Conrad J. Adams, Representative-elect from Manchester, Ward 10, has passed away, and

*Whereas*, he was a former Selectman of his ward and a former employee of the State Liquor Commission, therefore be it

*Resolved*, That we pay tribute to him for his service to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his widow, Mrs. Adams.

On a rising vote the resolutions were unanimously adopted.

### Report

Mr. Bigelow of Warner for the committee on Room Assignments offered the following report:

The committee on Room Assignments has attended to its duties and offers the following report:

<b>Committee</b>	<b>Room</b>
Agriculture	306 State House
Appropriations	318 State House
Banks	Community Room, N. H. Savings Bank
Claims and Aeronautics	Liquor Commission
Education	100 State House
Elections	305 State House
Engrossed Bills	Secretary of State
Executive Departments and Administration	305 State House
Fish and Game	Wild Life Room
Insurance	208W Annex
Interstate Cooperation	Secretary of State
Journal	Clerk's Office
Judiciary	304 State House
Labor	100 State House
Liquor Laws	Liquor Commission
Mileage	Sergeant-at-Arms
Military and Veterans' Affairs	208W Annex
Municipal and County Government	207 Annex
Public Health	Wild Life Room
Public Welfare and State Institutions	100 State House
Public Works	308 Annex
Resources, Recreation and Development	207 Annex
Rules	Speaker's Office
Transportation	308 Annex
Ways and Means	306 State House

The report was accepted.

### House Rules Amendment

Messrs. Pappagianis of Nashua and Peterson of Peterborough offered the following amendment to the House Rules:

Amend Rule 5 by striking out the words "These rules to take effect on the last Wednesday of December 1954" and inserting in place thereof the words,

Notwithstanding the provisions of this rule the Speaker and the Minority Party floor leader may agree upon a different



proportion for the membership of any particular committee, so that said rule as amended shall read as follows:

5. All committees shall be appointed by the Speaker unless otherwise directed by the House, provided, the membership on all standing committees of the House shall be divided between the two major political parties in the same proportion that the membership of the House belonging to the majority party bears to the House membership of the minority party. The appointments to committees for the majority party shall be made by the Speaker and appointments to committees for the minority party shall be made by the Speaker with the advice of the duly appointed minority party floor leader. Notwithstanding the provisions of this rule the Speaker and the Minority Party floor leader may agree upon a different proportion for the membership of any particular committee.

Mr. Peterson of Peterborough explained the amendment and spoke in favor of the amendment.

Mr. Pappagianis of Nashua spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

\* \* \*

Mr. Merrifield of Sunapee offered the following resolution:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 11:45 o'clock for the purpose of receiving His Excellency, the Governor, and to hear any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

On a *viva voce* vote the resolution was adopted.

### Senate Message

The Senate message announced that the Senate has passed the following resolution:

*Resolved*, That the Senate be ready to meet the House of Representatives in Joint Convention as suggested by the House Message about 11:45 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make and for the transaction of any other business that may properly come before such Convention.

## Recess

### After Recess

### Joint Convention

The Senate and House being in Joint Convention at 11:45 o'clock, Senator Monahan of District No. 5 offered the following report:

The Joint Committee appointed to wait upon Honorable John W. King and inform him officially of his election as Governor of the State of New Hampshire reports that it has attended to its duty; that the Governor-elect has accepted the said office and will meet the Senate and House of Representatives in Convention at the earliest convenient time to take the oath of office and make such communication as he deems proper.

The report was accepted.

Senator Martel of District No. 17 offered the following report:

The Joint Committee appointed to wait upon John P. Bowler, Fred W. Hall, Emile Simard, Fred Fletcher and James H. Hayes and inform them officially of their election to the Honorable Council, reports that it has attended to its duties, and that all of the gentlemen named have accepted the office.

The report was accepted.

### Inauguration

The Governor-elect and the Councilors-elect entered the House.

The Invocation was offered by Most Reverend Ernest J. Primeau, S.T.D., Bishop of Manchester.

The President of the Senate, Philip Dunlap, administered the oath of office to His Excellency, the Governor, John W. King, and proclaimed Mr. King Governor, and presented him with a copy of the state constitution.

His Excellency, the Governor, then administered the oath of office to The Honorable Councilors.

A Thanksgiving prayer was then offered by Rabbi Samuel Umen, Temple Adath Yeshurun of Manchester.

The Governor then delivered his inaugural address as follows:

Mr. Speaker, Mr. President, Members of the General Court and Fellow Citizens.

It is with deep humility and understandable pride that I accept the high honor you have conferred upon me. I shall devote my utmost efforts to maintain this office within the trust and dedication that has long been the tradition of the Chief Executives of this State.

It is especially gratifying to have this high honor conferred in this historic Hall of Representatives which for me abounds in such rich and pleasant memories. As a recent member of your ranks, I can assure you that the executive branch of your government, without abdicating any of its rights or duties, will honor and respect the prerogatives of the General Court and will bend every effort to work in harmony with it for the general good of all of our people.

To those of you who are sitting here for the first time, I extend to you my warmest congratulations and most cordial welcome. Your opportunity for genuine service to your state is great. If you pursue it with zeal, I am certain you will treasure the memories of that rewarding service.

You will attend an infinity of meetings of the most varied nature and composition and coming from diverse walks of life, each of you will have an opportunity to make a contribution of your own to such deliberations.

There has been concern expressed in some quarters over the fact that your Chief Executive is of different political persuasion than the majority of the members of the General Court. I have even been cast in the role of a Daniel in the lions den.

I do not share the anxiety. Long have I served in this assembly with men and women of different political beliefs. I have found such members compatible in temperament and capable of genuine cooperation. It has been my experience that the vast majority of these men and women hold principle above party and public interest above political considerations. I have faith this present assembly will do likewise.

I call upon you and upon all the citizens of our state to unite with me in a common effort to make this state the kind of state all of us want it to be.

As we meet today, our state is solvent and this administration will dedicate its every effort in maintaining that solvency.

The task will not be an easy one. The pressures for increased government services, the challenges of our expanding economy, the increasing obligations in many areas make serious and persuasive demands on our treasury.

An apparently easy solution would be the imposition of a broad base tax. I will not take the easy way out. The people of this state have repeatedly expressed their rejection of such levies and this administration, to the extent that is humanly and legally possible, will strive to reflect the will of our people.

That same public has manifested an increasing concern over the rising costs of government. This administration shares that concern. If, at times we appear harsh in our insistence upon government efficiency and economy, it is because we are attempting to reflect the will of the people who brought us to this high office. The right of the state to tax, carries with it the corresponding duty of the state to expend funds with the greatest of care and we shall be ever mindful of this duty.

I have not been elected to act as trustee in bankruptcy for the State of New Hampshire. Our people already bear a heavy tax burden in the field of real estate. Real estate taxes in this state have doubled in a decade and our local communities are finding the burden increasingly heavy with each passing year. Understandably, they cry out for increased help from the state. Ways and means to provide such aid must be found and we shall seek to do so.

The most onerous demands in the local community, lie in the field of education. The demands for additional classrooms, new buildings and higher teacher salaries will continue indefinitely.

Our people are insisting that these needs be met . . . and rightly so. Education is a fundamental weapon of the cold war and if we fail to provide the best we can within our means, we are derelict in our duty not only to our children but to our state and country.

In the field of government itself, I shall not support attempts to discard the positive accomplishments of my predeces-

sor. At the same time, I shall not hesitate to recommend changes in governmental procedures whose sole justification for existence rests in the argument of tradition.

In this latter category, I include, among other requisites, the need for a home rule law and the need for a district court system.

I shall recommend that strong home rule legislation be enacted that will give our cities and towns the proper measure of responsibility to govern themselves as they determine. For too long a period has the state denied communities their full measure of democracy by assuming appointive powers that rightfully belong to these units of local government.

In the judicial branch of our government, there is a serious need for improvement and modernization by the substitution of district courts for our inadequate municipal courts. While many laymen, performing the functions of local justices, have conducted themselves with distinction a modern judicial system requires that those sitting in judgment of their fellow men be grounded in legal training and devote their full time as jurists so that the ends of justice may best be served.

I fully realize that the implementation of these recommendations deprives the Chief Executive of some of his appointive powers, but I am also convinced that the cause of good government supersedes such accommodation of the Chief Executive.

In the executive branch of the government, there have been recent advances in the field of reorganization with a view toward streamlining departmental functions to effect greater efficiencies. The scope and intent of these efforts are commendable. But, reorganization must be subject to constant scrutiny to make certain that the end results sought are in actuality, accomplished and I shall painstakingly address myself to this task.

In our family of state employees, I believe the citizens of this state have the right to expect competence, courtesy and honesty, and in the majority of instances I believe those qualities prevail. By the same token, our state employees have the right to expect fair treatment in return and this administration will seek to provide it.

There are challenges that face us as we meet here today. Our state and economy are growing and, barring unforeseen calamity, we can look forward to a dynamic period in the decade that lies ahead. It behooves us to take cognizance of it.

A part of that dynamic growth is evidenced in the great new Superhighways that are already luring new thousands to our scenic splendors, providing quick and easy access to market for our manufacturers, and providing a better way of life for all in the automobile age. The continuation of this investment must go forward as fast as revenues allow.

We hear repeated predictions of a significant rise in our population in the next decade and we must prepare now for it. With the influx of our so-called "war babies" into our labor market we must intensify our efforts to provide new job opportunities.

At the other end of the spectrum, the population increase of our retired workers and aged is posing new problems in the field of health and welfare that must be met with sympathy and understanding.

There must be continued improvements in our state institutions. Much has been accomplished in this area in the past four years and this effort will be continued in this administration.

Two years ago, our state gained national recognition when it passed its anti-discrimination law. One hundred years ago slavery was abolished by the Emancipation Proclamation. In this country today there is a new awareness, a re-awakening of the public conscience. At the national level and at the state level laws are enacted and policies adopted which insure equal protection of the law, to which every citizen is entitled, regardless of race, creed or color. I commend this development to your notice and careful consideration, and should you deem it wise to enact further legislation in recognition of those principles long recognized in our Constitution, this administration will support and endorse your efforts.

Finally, let each of us who sits here today as an elected representative of the people of this state, take full cognizance of the responsibility that has been thrust upon us.

Our way of life is in greater peril than at any time since 1775.

We are locked in a world wide struggle to determine whether that way of life or Godless totalitarianism shall prevail.

Our people for the first time in our history, live under the shadow of destruction. Anxieties abound in the land.

One hears with regretable frequency the hated phrase . . . "Better red than dead." But the answer in New Hampshire is boldly emblazoned on our state motto, "Live free or die."

But if we are to enjoy the precious rights of freedom, then we also must assume the duties of liberty.

And if we are to survive the world wide struggle, we must make certain that representative government on every level . . . Federal, state, city and town is exactly that . . . *representative of the will of the people.*

I would remind you that state service as a public trust is not confined to the executive or judicial branches of our government: service in the General Court is equally a public trust with all the obligations and responsibilities attendant thereto. And so as we meet today, let each of us resolve to assume with integrity this trust that has been placed in our hands. To rise above party and factional considerations and to unite in seeking the commonweal of this state which we all love so dearly.

Freedom and representative government are on trial before the world and the trial may last for a generation.

In the days ahead let our efforts be valid testimony that the finest ideal of government ever devised by the mind of man, is still a government of the people, by the people and for the people . . . so help us God.

\* \* \*

The benediction was then offered by Rt. Reverend Charles F. Hall, Episcopal Bishop of New Hampshire.

On motion of Senator Green of the 6th District the Joint Convention rose.

(Mr. Goode of Manchester in the Chair)

### Resolutions

Mr. Pappagianis of Nashua offered the following resolution:

*Resolved*, That the House of Representatives has listened with gratification to the message of Governor John W. King and hereby expresses to him the high esteem in which we hold him.

On a *viva voce* vote the resolution was adopted.

Mr. Kearns of Manchester offered the following resolution:

*Resolved*, That the Clerk be instructed to have the address of Governor John W. King printed in the Journal and that 600 additional copies be printed in pamphlet form.

On a *viva voce* vote the resolution was adopted.

\* \* \*

On motion of Mr. Bigelow of Warner the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

### Communications

Honorable Stewart Lamprey  
Speaker, House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Speaker:

As another legislative session begins, I am reminded of the very difficult parking problems that past sessions have brought to the Concord Post Office. Perhaps this letter, if you will share it with other members of the House, will afford us some relief.

The Concord City Government has set aside three twelve-minute meters directly in front of the main post office on North State Street and six twelve-minute meters on the north side of Capitol Street adjacent to our south entrance for the use of our postal patrons, and these spaces should not be used for legislative parking. Additionally, the post office parking lot is limited strictly to the use of building employees.

The cooperation of you and your colleagues in this matter will be personally appreciated.

Sincerely,  
s/ Richard W. Eddy  
Postmaster



Hon. Stewart Lamprey  
Speaker of the House of Representatives  
Concord, N. H.

Dear Mr. Speaker:

I would like to call your attention to chapter 199, Laws of 1961, section 24:9-a which relates to the first meeting of the County Convention:

“The first meeting of the county convention shall be convened on the second Wednesday of each biennial session of the general court at two o'clock in the afternoon in the city or town where the house of representatives meets.”

This office notified persons elected as members of the County Convention from Towns which were not entitled to elect a representative to the General Court as to the time and place the first meeting would be held.

Very truly yours,  
s/ Robert L. Stark  
Secretary of State

On motion of Mrs. Ainley of Manchester the House adjourned at 12:34 o'clock.

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TUESDAY, JANUARY 8, 1963

The House met at 11:00 o'clock.

### Joint Convention

Prayer was offered by Reverend Hartley T. Grandin, Executive Secretary N. H. Council of Churches of Pembroke, as follows:

Eternal God from whom every good prayer cometh and who pourest out on all who desire it the spirit of grace and supplication, make us to be quiet before Thee, to know that Thou art God and that all efforts are futile except as they conform to the infinite wisdom and love of Thy purpose. Grant to these

legislators wisdom and strength for this day and make us all responsive to the promptings of Thy Spirit. We pray that an acceptable service may be rendered to the glory of Thy name and the good of all people affected by words spoken and decisions reached in this assembly. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Merrifield of Sunapee led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mrs. Moulton of New Durham and Messrs. Kelley of Littleton and LaFlamme of Concord were granted indefinite leaves of absence on account of illness.

Mr. Murch of Portsmouth and Lamprey of Tuftonborough were granted leave of absence for the day on account of important business.

Miss Normandin of Laconia and Mrs. Grey of Canaan were granted leave of absence for the week on account of important business.

#### **Introduction of Bills**

The following bills and House Joint Resolution were read a first and second time, laid on the table, and referred as follows:

HB 18, relative to outdoor advertising. (Newell of Concord) To Public Works.

HB 19, relative to the state library. (Frizzell of Charlestown) To Executive Departments and Administration.

HB 20, relative to voting machines in the city of Manchester. (Lang of Manchester) To the Manchester Delegation.

HB 21, relative to Concord City Charter. (York of Concord) To the Concord Delegation.

HB 22, relative to motor vehicles parked on street or public parking areas. (Gamache of Manchester) To Transportation.

HB 23, relative to Concord Female Charitable Society. (Gove of Concord) To Judiciary.

HB 24, repealing certain inconsistent provisions relative to toilet facilities where food is served. (Newell of Concord) To Public Health.

HB 25, providing an appropriation for the state council on aging. (Potter of Northumberland) To Appropriations.

HB 26, correcting references in statute providing for highway bond issue. (Moore of Bradford) To Public Works.

HB 27, relative to debt service for the Eastern New Hampshire Turnpike. (McGee of Lincoln) To Appropriations.

HB 28, relative to motor vehicle driver training and operator's license fees. (Cobleigh of Nashua) To Executive Departments and Administration.

HB 29, repealing the milk control act. (Pickett of Keene and Abare of Troy) To Agriculture.

HB 30, relative to uniform season for taking deer. (Hill of Conway) To Fish and Game.

HB 31, relative to the repeal of the school per capita tax. (Plumer of Bristol) To Ways and Means.

HB 32, relative to the employment of an electrical inspector in the office of fire marshal. (Shepard of Londonderry and Desnoyer of Claremont) To Executive Departments and Administration.

HB 33, relative to date of the primary election and establishing a run-off primary. (Peterson of Peterborough and Taft of Greenville) To Judiciary.

HB 34, relative to the sewerage system in the Plymouth Village Fire District. (Smith of Plymouth) To Municipal and County Government.

HB 35, relative to the powers and duties of the town of Hanover and repealing the charter of the Village Precinct of Hanover. (Low, Johnson and Hayward of Hanover) To Municipal and County Government.

HB 36, to amend the interest and dividends tax. (Palmer of Plaistow) To Ways and Means.

HB 37, amending the mileage table. (McAllister of Barnstead) To Mileage.

HB 38, establishing a legislative services committee. (Peterson of Peterborough, Desnoyer of Claremont and Shepard of Londonderry) To Executive Departments and Administration.

HB 39, relative to the capital reserve fund established by the Lincoln School District. (McGee of Lincoln) To Education.

HB 40, relative to sewage and waste treatment plants and septic tanks for the town of Littleton. (Allard, Kelley and Martin of Littleton) To Municipal and County Government.

Mr. Hill of Conway moved that the rules of the House be so far suspended as to dispense with the printing of House Bill No. 40.

The Clerk read the bill in full.

### House Bill 40

House Bill No. 40, An Act relative to sewage and waste treatment plants and septic tanks for the town of Littleton.

1. Littleton. Amend 1955, 442:9 by striking out said section and inserting in place thereof the following: 9. Sewers. The selectmen shall construct and maintain all main drains, common sewers, sewage and waste treatment plants, septic tanks and all necessary facilities thereto which they judge necessary for the public convenience and health. Such drains and sewers shall be constructed of brick, stone, cement or other material adapted to the purpose and shall be the property of the town.

2. Sewage and Waste Treatment Plants. Amend 1955, 442:10 by striking out said section and inserting in place thereof the following: 10. Taking Land. Whenever it is necessary to construct such main drains, common sewers, sewage and waste treatment plants, septic tanks and all necessary facilities thereto across the land of any person or owner the selectmen may lay out a sufficient quantity of such land for the purposes and assess the owner's damages in the same manner as in the case of tak-

ing land for highways, and the owner shall have the same right of appeal with the same procedure.

3. Appropriations. Amend 1955, 442:11 by striking out said section and inserting in place thereof the following: 11. Costs. At the annual town meeting or any special town meeting held for the purpose money may be raised and appropriated for the purposes of the construction of main drains, common sewers, sewage and waste treatment plants, septic tanks and all necessary facilities thereto as hereinbefore provided.

4. Defraying Costs. Amend 1955, 442:12 by striking out said section and inserting in place thereof the following: 12. Special Tax. For the defraying of the costs of construction, payment of the interest on any debt incurred, management, maintenance, operation and repair of sidewalks and garbage or refuse collection and hydrant rental the selectmen shall establish a separate inventory of all property that has abutting sidewalks or is within six hundred feet of a hydrant and shall assess against such property a special tax to cover the cost of the same. Collection to be made in the same manner as real estate taxes, with similar rights of appeal.

5. Takes Effect. This act shall take effect upon its passage.  
Mrs. Martin of Littleton explained the bill.

(discussion ensued)

Mr. Ferguson of Concord spoke against the motion.

Mr. Stevenson of Bethlehem spoke in favor of the motion.

(discussion ensued)

Mr. Urie of New Hampton spoke in favor of the motion.

(discussion ensued)

Mr. Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

HB 41, to make appropriation to employ an airport engineer. (Pickett of Keene and Coutermarsh of Lebanon) To Claims and Aeronautics.

HB 42, providing for the election of county commissioners for the county districts of Belknap county. (Harkins and Stafford of Laconia and Goodhue of Gilford) To the Belknap County Delegation.

HB 43, providing for hearing in cases of suspension or revocation of liquor licenses or permits. (Feldman of Manchester) To Liquor Laws.

HB 44, establishing the technical institute in the city of Manchester. (Feldman of Manchester) To Executive Departments and Administration.

HB 45, requiring surety bonds for municipal court clerks. (Upton of Concord) To Judiciary.

By Mr. Peterson of Peterborough and Mr. Pappagianis of Nashua, HJR 1, Joint Resolution relative to the interim commission on education. To Education.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to dispense with the printing of HJR 1.

The Clerk read the resolution in full.

### House Joint Resolution 1

HJR 1, Joint resolution relative to the interim commission on education

*Resolved by the Senate and House of Representatives  
in General Court convened:*

That the time within which the interim commission on education is to make its final report and submit drafts of proposed legislation, as set forth in 1961, 291, is hereby extended for a period of 60 days from the date of passage of this resolution.

\* \* \*

Mr. Pappagianis of Nashua spoke in favor of the resolution.

On a *viva voce* vote the motion was adopted.

Mr. Peterson of Peterborough moved that the rules be further suspended as to dispense with reference to committee and public hearing, and that the resolution be placed on third reading and final passage at the present time by caption only.

On a *viva voce* vote the motion was adopted.

### Third Reading

House Joint Resolution No. 1, relative to the interim commission on education, was read a third time, passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Soucy of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed a resolution regarding appointing of attaches and special assistants, and spoke in favor of the motion.

Mr. Peterson of Peterborough spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider was adopted.

Mr. Soucy of Manchester offered the following amendment and moved its adoption:

Amend the resolution by striking out the words, and such other assistants as may be necessary and approved by the Committee on Rules, so that said resolution shall read as follows: *Resolved*, that the Speaker of the House be authorized to appoint one custodian of Mails and Supplies, one warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker.

(discussion ensued)

On a *viva voce* vote the amendment was adopted.

Mr. Peterson of Peterborough offered the following substitution for the resolution as amended:

### Resolution

*Resolved*, That the Speaker of the House be authorized to appoint one custodian of mails and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker and in addition thereto that the Speaker be authorized to appoint such other messengers and pages as may be necessary.

Mr. Peterson of Peterborough explained the substitute resolution.

(discussion ensued)

Messrs. Clement of Rochester, Goode of Manchester and Pappagianis of Nashua explained the resolution.

(discussion ensued)

Mr. Pickett of Keene moved the previous question.

On a *viva voce* vote the motion prevailed.

The question being on the substitute resolution offered by Mr. Peterson of Peterborough.

On a *viva voce* vote the resolution was adopted.

Mr. Soucy of Manchester wished to be recorded as voting in the negative.

### Communication

January 3, 1963

Honorable Stewart Lamprey,  
Speaker of the House,  
New Hampshire General Court,  
State House,  
Concord, New Hampshire.

Dear Speaker Lamprey:

I take this opportunity to extend a most cordial welcome to the members of the New Hampshire General Court as the 1963 Session gets under way.

The question of where Legislators may park their cars comes up each time the Legislature convenes. For your information a series of meetings have been held with the Chief of Police and other appropriate officials on the question of parking your cars on Concord Streets while the Legislature is in session. We again ask your cooperation in refraining from parking on Main Street or in the 12-minute spaces in front of, and on the south side of, the Post Office. We would appreciate it if cars were not parked over night on the streets because of the snow removal problem.

I feel certain that the question of Legislative parking can be solved with the least inconvenience to all concerned by mutual understanding of one another's problems.

Chief Walter Carlson informs me that all duly elected members of the General Court may obtain the usual Legislative sticker to be attached to the lower right hand corner of the windshield, and these stickers may be obtained from the Police Department on Warren Street. They will be honored on all vehicles that are properly parked in the metered or unmetered zones with the exception of Main Street and in the 12-minute zones at the Post Office. These stickers will be honored on all days when the Legislature is in session.



If a member of the Legislature is tagged on a day when the Court is not in session, the member may take the ticket to the Police Station, and if it can be shown that they were on Legislative or Committee business, the officer in charge will excuse the offense.

Unfortunately, the Police cannot authorize issuance of Legislative immunity to attaches, stenographers, clerks, reporters and photographers who are not elected members of the General Court. We realize that several persons whose services are vital to the smooth operation of the General Court would find it difficult to perform their duties if they were subject to overtime parking regulations. Any such person not actually a member of the General Court who feels he or she is entitled to a sticker should write a letter to Chief Carlson stating the reasons and he will be glad to consider each case of this nature on its individual merits.

I sincerely hope that these arrangements will be satisfactory to all parties concerned.

The Mayor's Office and the City Officials of Concord will be available to confer with you on this subject at any time.

Sincerely,

Charles C. Davie  
Mayor

REPORT OF THE ADVISORY COMMITTEE  
TO STUDY  
THE SALARIES  
OF  
STATE OFFICIALS AND EMPLOYEES  
December 1962

*Chairman,* SENATOR CHARLES CHENEY  
REPRESENTATIVE KENNETH BELL  
BENJAMIN C. ADAMS  
FRANK FOYE  
HANS MEISSNER

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**Chapter 221, Laws of 1961**

“221:16 Advisory Committee. An advisory committee of five members is hereby established to study the salaries of state officials and employees. One member shall be appointed by the speaker of the house from the membership of the house, one member shall be appointed by the president of the senate from the membership of the senate, one member shall be a state employee designated by the state employees’ association and one member shall be a state employee designated by the American Federation of State, County, and Municipal Employees. Vacancies shall be filled in the same manner as original appointments are made. The members of the committee shall serve without compensation. The advisory committee is directed to study and compare the salary scale of business, industry and other units of government in this area with those of the state. On or before December 1 in each even numbered year said committee shall file a report with the clerk of the house of representatives on the results of its study and shall incorporate in said report a recommended schedule of salaries for those in state service which is commensurate with the average salary schedules of such other employing units.

221:17 Takes Effect. This act shall take effect July 1, 1961

( Approved June 30, 1961 )

( Effective date July 1, 1961 )

The members of the Advisory Committee are:

Senator Charles Cheney, Concord, appointed by President  
of the Senate

Representative Kenneth Bell, Plymouth, appointed by the  
Speaker of the House  
Benjamin C. Adams, appointed by the Governor  
Frank Foye, Manchester, representing the American Federation of State, County, and Municipal Employees  
Hans Meissner, Concord, representing the State Employees' Association

The Advisory Committee to study the salaries of state officials and employees met five (5) times during the past year. The dates of these meetings are as follows:

December 14, 1961. Organizational meeting. Senator Cheney elected chairman; Benjamin C. Adams elected clerk. The committee decided to ask Mr. Roy Lang of the Personnel Department to sit in on all meetings to act as a consultant and advisor.

February 21, 1962

July 19, 1962

November 20, 1962

December 4, 1962

### GENERAL COMMENTS

Throughout the deliberations of the committee it became evident that the role of the state as an employer is a large and complex one. To carry out the services and functions of government as prescribed by the General Court requires thirty-three (33) departments. The personnel needed is made up as follows: one hundred ten (110) department heads, assistants and deputies; over five thousand (5000) state employees falling into seven hundred sixteen (716) different classifications of jobs.

The function of the Personnel Department is to furnish the employees for the various departments with which to carry out their services. Each job must be analyzed and studied in order to classify and evaluate it, in order to place it in the correct labor grade for the proper remuneration. Applicants must be interviewed to determine their qualifications, test them either orally or by written examination for particular jobs and refer them to the departments seeking help.

In addition, Personnel hears state employees' grievances. In most cases these have to do with working conditions, correct classification, promotions and demotions, and salaries. For a detailed outline of the duties of the Personnel Department refer-

ence is made to "Rules of the Division of Personnel, State of New Hampshire" adopted November 1951, and "Amendments to Rules of the Department of Personnel," September 16, 1960.

### SPECIFIC COMMENTS

In the course of meetings held by the committee certain topics of discussion seemed to predominate. In some departments there are vacancies of quite long standing. Quite a number of these positions are key positions in departments. The inability to fill these positions adversely affects the functions and services of the department either by totally curtailing some services, or partially curtailing services, in that additional work burdens are placed on employees doing the same work in the department. In some instances it becomes necessary to promote employees who are not fully qualified from lesser positions into these vacancies. This is done with the hope that the individual promoted will rise to the occasion and in reasonable time fulfill the duties of the position.

Two other factors also affect the creation of vacancies. These are (1) job specifications, and (2) job classification and evaluation.

1) Job specifications. Many jobs in state service are not filled because applicants who satisfy the qualifications and meet the specifications feel that the salaries are insufficient. The question arises as to whether the specifications are too high for the job or the compensation is too low.

Again, applicants may have successfully carried out the same work for previous employers for a number of years. The question arises why won't some department heads authorize the substitution of equivalencies when approved by the Personnel Department.

2) Job classification and evaluation. In this case the evaluation of the job is the important factor. The question arises as to whether the evaluation factors and degree definitions are applied correctly to certain jobs which are very difficult to fill if not impossible to fill. Evaluation results in a total of points which are related to the wage curve. The more points the more pay.

Following is a resume of the vacant position in state service as reported September 1962 by the Personnel Department.

Total number of vacancies	210
Vacancies existing since 1962	152

Vacancies existing since 1961	47
Vacancies existing since 1960	6
Vacancies existing since 1959	1
Vacancies existing since 1958	3
Vacancies existing since 1957	1
	<hr/>
Total	210

Many of the problems concerning state employees are related to salary. This has been touched upon to a degree earlier in this report relative to job specifications, and job classification and evaluation. The department head who wishes to fill a position and can find a qualified applicant very often can not persuade the applicant to take the job because of salary. The department head feels that if the salary were higher he might be able to hire the applicant. Therefore, the department head would like to increase the salary for the position. If this is carried out as prescribed by the Personnel rules sufficient evidence has to be presented to show that the job should be evaluated higher and therefore the job should be in a higher pay bracket. Failing this, the classification can be reviewed and if found to be too high the specifications of the job can be reduced. This should help to find applicants who can qualify for the job because of the lesser requirements.

Again, a department head is about to lose an employee in a key position because he has been enticed by a better offer in salary. The department head in order to prevent this may be able to have the salary increased. This may or may not prevent the department head from losing his employee. If it does fail he may do one of the following things:

- 1) Have the salary increased and hope to attract new applicants, one of whom he may hire.
- 2) Failing to get the salary increased, the department head:
  - a) May promote an employee who barely has the minimum requirements, and hope that he will succeed.
  - b) May promote an employee who does not qualify, but shows good potential, to a trainee status in the position, and hope that he will succeed.
  - c) May leave the position vacant, with the consequent effects on his department.

The Personnel Department under "Rules of the Division of Personnel, State of New Hampshire" adopted November 1951, can help to some extent alleviate the salary problem by carrying out Rule IV, Compensation Plan, page 16 of the above mentioned rules. This reads—

*"Section 1. Preparation of Compensation Plan:*

The Commission shall, as provided by Section 6, paragraph V, of the Act, review and consider the operation of the compensation plan and through its secretary transmit to the Governor and council for their approval such changes as may from time to time be necessary to adapt the plan to the changing needs of the state service."

Such a review was inaugurated in 1956. The procedure for making this study was approved by the then Governor and council and is the same method as described in the instructions to this committee under *Chapter 221, Laws of 1961*:

"The advisory committee is directed to study and compare the salary scale of business, industry and other units of government in this area with those of the state."

The committee in its deliberations attempted to evaluate the question of salary for New Hampshire State Employees. It quickly realized that it could not gather its own information. The committee, therefore, requested Mr. Roy Lang of the Personnel Department to make a study of the salary situation. The results of this study are included in this report. It should be pointed out that this same type of study was made in the past by the Personnel Department in the years 1956, 1958, and 1960.

### RECOMMENDATIONS

As a result of its deliberations the Advisory Committee to Study the Salaries of State Officials and Employees makes the following recommendations:

- 1) That the Personnel Department be instructed to make a review of all positions which have not been filled for some time, and for which positions there have been applicants but the state has been unable to hire because of—
  - a) Insufficient salary, and/or
  - b) Failure to meet the specifications of the job as now outlined.

That a review be made of the job specifications for each position to see if these are in keeping with the duties of the position.

- 2) That a committee of the General Court be created, composed of the chairman of the house finance committee, the chairman of the house appropriations committee, and the chairman of the senate finance committee; before which committee the Personnel Department will present each even numbered year its report on the state employees' salary study; that this committee have the authority to approve or disapprove the report as presented; that this committee have the authority to instruct department heads to make such adjustments in their budgets as may be reflected by the approved report of the Personnel Department.

That this committee become effective July 1, 1963.

- 3) That the salary adjustment curve determined by the Personnel Department for this committee during the summer of 1962 is strongly recommended to the General Court and urges its serious consideration; that if the entire adjustment can not be made in this coming session that one-half should be implemented by July 1, 1963, and the other one-half be implemented by July 1, 1964; that if only a part of this adjustment can be made that all state employees shall be treated in equal proportion.

Because of what may be considered an unusual salary adjustment, the committee would like to explain its reasoning to support the findings of the Personnel Department. (See new salary schedule)

- a) One of the prime duties of the Personnel Department is to make periodic studies of salaries and to report its findings.
- b) It has made three (3) such studies and reports in the past—1956, 1958, and 1960.
- c) The method of making the study received approval in 1956 by the then Governor as well as the Personnel Commission. This procedure is further supported by the direction of the General Court to the committee under *Chapter 221, Laws of 1961*, which states in part, "The advisory committee is directed to study and compare the

salary scale of business, industry and other units of government in this area with those of the state.”

- d) Reference is made to graphs 1-a, 1-b, 1-c which accompanies this report.
  - A) Graph 1-a shows the adjustment advised by the Personnel Department in 1956 and the salary adjustment action taken by the General Court in the session of 1957.
  - B) Graph 1-b shows the adjustment advised by the Personnel Department in 1958 and upon which no salary adjustment was made in the session of 1959.
  - C) Graph 1-c shows the adjustment advised by the Personnel Department in 1960 and the salary adjustment made by the General Court in 1961.

These three graphs show a consistent story of salary adjustment. In the years 1957 and 1961 greater attention was paid to the lower grades. As the salary situation continues it shows that a larger adjustment is necessary for the higher labor grades than the lower labor grades. Graph 1-d shows the total amount of salary adjustment suggested by the Personnel Department in the years 1956 and 1960 when salary adjustment action was taken by the General Court in comparison to what the salary adjustment action accomplished. This is shown in another way in graph 2.

- e) The salary adjustment that Personnel now presents in 1962 is the result of the total accumulation of salary activity both in the State and in the fields of competition. The lower grades compare well with the New England averages and the upper grades do not. Therefore, an adjustment such as is now suggested would bring all state employees more in line with New England averages, which are a yardstick and guide for the State as it pertains to salary. Reference is made to table 1 which shows in terms of dollars what has been suggested and what has actually been accomplished. Table 2 shows the effect upon the labor grade salaries if the salary adjustment of 1962 is fully implemented. Also see graph 3.
- f) In recommending the salary adjustment to the General Court the committee feels that this will bring the salaries



of state employees as nearly up to date as is possible, and comply with the accepted procedure of comparing state salaries with those of industries and municipalities of New Hampshire and the five other New England States.

It will help eliminate some of the vacancies which exist in various departments and raise their efficiency.

It will help to retain those employees who feel that they must leave state service because of salary and whose positions must be filled by offering higher salaries.

It will help keep the state on a more competitive basis with the rest of the area to obtain employees.

It will bring salaries to a level that is felt equitable for all state employees based on a study by the Personnel Department as requested by this committee.

**RECOMMENDED  
SALARY GRADES & RANGES**

June 20, 1962

<u>Grade</u>	<u>Min.</u>	<u>1st.</u>	<u>2nd.</u>	<u>3rd.</u>	<u>4th.</u>	<u>Incr.</u>
1	2,750	2,850	2,950	3,050	3,150	100
2	2,850	2,950	3,050	3,150	3,250	100
3	2,950	3,050	3,150	3,250	3,350	100
4	3,000	3,150	3,300	3,450	3,600	150
5	3,150	3,300	3,450	3,600	3,750	150
6	3,300	3,450	3,600	3,750	3,900	150
7	3,400	3,600	3,800	4,000	4,200	200
8	3,600	3,800	4,000	4,200	4,400	200
9	3,800	4,000	4,200	4,400	4,600	200
10	3,950	4,200	4,450	4,700	4,950	250
11	4,200	4,450	4,700	4,950	5,200	250
12	4,450	4,700	4,950	5,200	5,450	250
13	4,650	4,950	5,250	5,550	5,850	300
14	4,950	5,250	5,550	5,850	6,150	300
15	5,250	5,550	5,850	6,150	6,450	300
16	5,550	5,850	6,150	6,450	6,750	300
17	5,850	6,150	6,450	6,750	7,050	300
18	6,150	6,450	6,750	7,050	7,350	300
19	6,400	6,750	7,100	7,450	7,800	350
20	6,700	7,100	7,500	7,900	8,300	400
21	7,100	7,500	7,900	8,300	8,700	400
22	7,500	7,900	8,300	8,700	9,100	400
23	7,900	8,300	8,700	9,100	9,500	400
24	8,300	8,700	9,100	9,500	9,900	400
25	8,700	9,100	9,500	9,900	10,300	400
26	9,000	9,500	10,000	10,500	11,000	500
27	9,400	10,000	10,600	11,200	11,800	600
28	9,900	10,600	11,300	12,000	12,700	700
29	10,450	11,300	12,150	13,000	13,850	850
30	11,150	12,150	13,150	14,150	15,150	1000

June 20, 1962

## SALARY INCREASE ANALYSIS

Grade	1950		1951		1953		1957		1961		% Inc. Since 1950		% Inc. Since 1950	
	Mid	Point	Mid	Point	% Incr.	Mid	Point	% Incr.	Mid	Point	% Incr.	Mid	Point	% Incr.
1	1710	2010	17.5	2110	4.9	2499	2926	18.4	2926	17.1	71.1	2950	.8	72.5
2	1800	2100	16.6	2200	4.7	2581	3012	17.2	3012	16.7	67.3	3050	1.3	69.4
3	1890	2190	15.8	2290	4.5	2662	3097	16.2	3097	16.3	63.9	3150	1.7	66.7
4	1980	2280	15.1	2380	4.3	2774	3212	16.5	3212	15.8	62.2	3300	2.7	66.7
5	2070	2370	14.4	2470	4.2	2884	3328	16.7	3328	15.4	60.8	3450	3.7	66.7
6	2220	2490	12.1	2590	4.0	2993	3442	15.5	3442	15.0	55.0	3600	4.6	62.2
7	2340	2610	11.5	2710	3.8	3101	3556	14.4	3556	14.7	52.0	3800	6.9	62.4
8	2460	2730	10.9	2830	3.6	3238	3696	14.4	3696	14.1	50.2	4000	8.2	62.6
9	2580	2850	10.4	2950	3.5	3373	3838	14.3	3838	13.8	48.8	4200	9.4	62.8
10	2700	2970	10.0	3070	3.3	3538	4008	15.2	4008	13.3	48.4	4450	11.0	64.8
11	2820	3090	9.5	3190	3.2	3700	4179	15.9	4179	12.9	48.2	4700	12.5	66.7
12	2940	3210	9.1	3310	3.1	3880	4368	17.2	4368	12.6	48.6	4950	13.3	68.4
13	3120	3360	7.6	3460	2.9	4060	4557	17.3	4557	12.2	46.1	5250	15.2	68.4
14	3270	3510	7.3	3610	2.8	4240	4746	17.4	4746	11.9	45.1	5550	16.9	69.7
15	3420	3660	7.0	3760	2.7	4460	4973	18.6	4973	11.5	45.4	5850	18.0	71.1
16	3630	3840	5.7	3940	2.6	4680	5204	18.7	5204	11.2	43.4	6150	18.2	69.4
17	3810	4020	5.5	4120	2.4	4930	5463	19.6	5463	10.8	43.4	6450	18.1	69.3
18	4050	4230	4.4	4334	2.4	5180	5726	19.5	5726	10.5	41.4	6750	17.9	66.7
19	4260	4440	4.2	4558	2.6	5460	6017	19.7	6017	10.2	41.2	7100	18.0	66.7
20	4470	4650	4.0	4783	2.8	5740	6311	20.0	6311	9.9	41.2	7500	18.8	67.8
21	4680	4860	3.8	5008	3.0	6020	6605	20.2	6605	9.7	41.1	7900	19.6	68.8
22	4950	5100	3.0	5297	3.8	6300	6899	18.9	6899	9.5	39.4	8300	20.3	67.7
23	5190	5340	2.8	5553	3.9	6630	7240	19.3	7240	9.2	39.5	8700	20.2	67.6
24	5430	5580	2.7	5810	4.1	6960	7587	19.7	7587	9.0	39.7	9100	19.9	67.6
25	5730	5850	2.0	6131	4.8	7290	7933	18.9	7933	8.8	38.4	9500	19.8	65.8
26	6000	6120	2.0	6420	4.9	7670	8327	19.4	8327	8.6	38.8	10000	20.1	66.7
27	6270	6390	1.9	6709	4.9	8050	8726	19.9	8726	8.4	39.2	10600	21.5	69.1
28	6600	6690	1.3	7062	5.5	8430	9125	19.3	9125	8.2	38.3	11300	23.8	71.2
29	6900	6990	1.3	7383	5.6	8810	9524	19.3	9524	8.1	38.0	12150	27.6	76.1
30	7200	7290	1.2	7704	5.6	9190	9923	19.2	9923	8.0	37.8	13150	32.5	82.6

June 20, 1962

## DOLLAR INCREASE ANALYSIS

<u>Grade</u>	<u>1961</u>	<u>1962</u>	<u>Dollar Increase</u>
1	\$2926	\$2950	\$ 24
2	3012	3050	38
3	3097	3150	53
4	3212	3300	88
5	3328	3450	122
6	3442	3600	158
7	3556	3800	244
8	3696	4000	304
9	3838	4200	362
10	4008	4450	442
11	4179	4700	521
12	4368	4950	582
13	4557	5250	693
14	4746	5550	804
15	4973	5850	877
16	5204	6150	946
17	5463	6450	987
18	5726	6750	1024
19	6017	7100	1083
20	6311	7500	1189
21	6605	7900	1295
22	6899	8300	1401
23	7240	8700	1460
24	7587	9100	1513
25	7933	9500	1567
26	8327	10000	1673
27	8726	10600	1874
28	9125	11300	2175
29	9524	12150	2626
30	9923	13150	3227

TABLE 1

INCREASES PROPOSED BY PERSONNEL DEPARTMENT SINCE 1957  
AND AMOUNTS ACTUALLY APPROVED

Labor Grade	1957 Increase		1959 Increase		1961 Increase		Total Increase		1963 Increase
	Study	Actual	Study	Actual	Study	Actual	Study	Actual	
1	380	389	201		351	427	731	816	24
2	380	381	209		369	431	749	811	38
3	380	372	218		398	435	778	807	53
4	410	394	196		376	439	786	833	88
5	440	414	176		416	444	856	858	122
6	440	403	157		467	450	907	853	158
7	470	391	139		499	455	969	846	244
8	500	408	152		512	459	1012	867	304
9	530	423	167		527	466	1057	889	362
10	610	468	202		512	471	1122	939	442
11	690	510	240		550	479	1240	989	521
12	770	570	260		570	488	1340	1058	582
13	820	600	330		590	497	1410	1097	693
14	870	630	400		660	506	1530	1136	804
15	960	700	480		690	513	1650	1213	877
16	1020	740	560		770	524	1790	1264	946
17	1110	810	610		820	533	1930	1343	987
18	1167	847	660		920	546	2087	1393	1024
19	1242	902	680		990	557	2232	1459	1083
20	1318	958	750		1060	571	2378	1529	1189
21	1393	1013	820		1130	585	2523	1598	1295
22	1404	1004	890		1200	599	2604	1603	1401
23	1516	1096	910		1220	611	2736	1707	1460
24	1590	1150	930		1290	627	2880	1777	1513
25	1629	1159	1000		1360	644	2989	1803	1567
26	1730	1250	1020		1530	658	3260	1908	1673
27	1841	1341	1040		1700	677	3541	2018	1874
28	1888	1368	1060		2020	696	3908	2064	2175
29	1967	1427	1110		2490	715	4457	2142	2626
30	2046	1486	1160		3110	734	5156	2220	3227

No action taken on proposal of 1959 by General Court.

Figures in Total Columns include only 1957 and 1961 figures -  
 Study and Actual.

TABLE 2

Labor Grade	Total Adjustment 1957 & 1961		Percent Relation <u>Actual</u>	Total Adjustment if 1962 added		Percent Relation <u>Actual</u>
	Proposed	Actual	<u>Proposed</u>	Proposed	Actual	<u>Proposed</u>
1	\$ 731	\$ 816	111.53%	\$ 755	\$ 840	111.25%
2	749	812	108.28	787	849	107.88
3	778	807	103.73	831	860	103.49
4	786	833	105.98	874	921	105.38
5	856	858	100.23	978	980	100.20
6	907	853	94.	1065	1011	94.93
7	969	846	87.	1213	1090	89.85
8	1012	867	86.	1316	1171	89.17
9	1057	889	84.	1419	1251	88.16
10	1122	939	84.	1564	1381	88.29
11	1240	989	80.	1761	1510	85.74
12	1340	1058	79.	1922	1640	85.33
13	1410	1097	78.	2103	1790	85.12
14	1530	1136	74.	2334	1940	83.12
15	1650	1213	74.	2527	2090	82.70
16	1790	1264	71.	2736	2210	80.77
17	1930	1343	70.	2917	2330	79.87
18	2087	1393	67.	3111	2417	77.69
19	2232	1459	65.	3315	2542	76.68
20	2378	1529	64.	3567	2718	76.19
21	2523	1598	63.	3818	2893	75.77
22	2604	1603	62.	4005	3004	75.00
23	2736	1707	62.	4196	3167	75.47
24	2880	1777	62.	4393	3290	74.88
25	2989	1803	60.	4556	3370	73.96
26	3260	1908	59.	4933	3581	72.59
27	3541	2018	57.	5415	3892	71.87
28	3908	2064	53.	6083	4239	69.68
29	4457	2142	48.	7083	4768	59.84
30	5156	2220	43.	8383	5447	64.97

### Qualified

Mr. Allard of Littleton and Bowles of Easton, having qualified by appearing before His Excellency, John W. King, and being duly sworn in as members of the House, appeared and took their seats.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at three o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and House Joint Resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

### Committee Assignments

#### Agriculture

Adams of Madbury	Underwood of Chester
Ballam of Walpole	McKay of Dunbarton
Stearns of Hinsdale	Watts of Deerfield
Spollett of Hampstead	Nash of Dixville
Purington of Exeter	Legallee of Litchfield
Hayward of Milford	Brooks of Stewartstown
Adams of Lebanon	Farwell of Brookline
Persson of Candia	Barrows of Claremont
Bragdon of Amherst	Dempsey of Franklin
Garland of Pelham	Abare of Troy
Cummings of Danville	Martel of Manchester, Ward 7

#### Appropriations

Clement of Rochester	Keough of Gorham
Goode of Manchester, Ward 2	Blake of Madison
Taylor of Whitefield	Fellows of Dover
Bell of Plymouth	Sheridan of Berlin
Weeks of Greenland	Bailey of Newport
Roberts of Conway	Bruton of Manchester, Ward 3
Shepard of Londonderry	Hartigan of Rochester
Gove of Concord	Belcourt of Nashua
Eaton of Hillsborough	Dumont of Berlin
Ring of Hampton	Pappagianis of Nashua
Prescott of Laconia	

**Banks**

Bigelow of Warner	Peterson of Peterborough
Stevens of Epsom	Heald of Keene
Bennett of Keene	Allen of Rindge
Hambleton of Goffstown	Walsh of Manchester, Ward 5
Leighton of Dover	Delisle of Manchester, Ward 8
Asby of Canterbury	Maynard of Nashua
Scott of Derry	Manning of Manchester,
Vey of Brentwood	Ward 5
Reddy of Hopkinton	Maloomian of Somersworth
Canney of Farmington	Trombly of Nashua
Peaslee of Concord	Pratt of Keene

**Claims and Aeronautics**

Henry of Concord	Marcoux of Nashua
Potter of Northumberland	Chartrain of Nashua
Newell of Concord	Levasseur of Manchester,
Warren of Lyndeborough	Ward 12
Hood of Plainfield	Noel of Manchester, Ward 11
Cole of Nashua	Gauthier of Manchester,
Smith of Walpole	Ward 13
Karnis of New Ipswich	Thibault of Nashua
Beard of Lebanon	Cavalieri of Portsmouth
Boutin of Benton	Belletete of Keene
Nalette of Manchester,	
Ward 12	

**Education**

Brown of Sandwich	Uhlenberg of Gilmanton
Low of Hanover	Park of Lyme
O'Neil of Chesterfield	McDonough of New Castle
Faulkner of Keene	Taylor of Effingham
Berry of Barrington	St. Pierre of Rochester
Whipple of Lebanon	Demers of Lebanon
Greene of Rye	Dionne of Nashua, Ward 6
Matheson of Center Harbor	Russell of Keene
Martin of Littleton	Sadler of Portsmouth
Van Loan of Bedford	McEachern of Portsmouth
Chamberlin of Bath	



**Elections**

Johnson of Hanover	Healy of Manchester, Ward 6
Peterson of Peterborough	Sheridan of Berlin
McMeekin of Haverhill	

**Engrossed Bills**

Potter of Northumberland	Marx of Langdon
Eastman of Weare	York of Concord
Smith of Concord	

**Interstate Cooperation**

The Speaker	Pappagianis of Nashua
Ainley of Manchester	Normandin of Laconia
Upton of Concord	

**Journal**

Upton of Concord	Moran of Manchester
The Speaker	Downing of Newport
Taft of Greenville	

**Executive Departments and Administration**

McMeekin of Haverhill	Marx of Langdon
Stafford of Laconia	Sherman of Lancaster
White of Portsmouth, Ward 4	Cobleigh of Nashua
Allan of Meredith	Cote of Manchester, Ward 8
Clark of Lee	Eastman of Weare
Carter of North Hampton	Morse of Enfield
Smith of Plymouth	Gagnon of Berlin
Lamprey of Tuftonboro	Grimes of Dover
Lewis of Lebanon, Ward 3	York of Concord
Smith of Concord	Dupont of Manchester, Ward 6
Langford of Raymond	Claveau of Hudson

**Fish and Game**

London of New London	Nettleton of Groton
Cheney of Newton	Forbes of Marlow
Welch of Concord	Merrill of Hampton Falls
Drew of Farmington	Connolly of Berlin
Merrifield of Sunapee	Guilbeault of Allenstown
Brown of Loudon	Bushey of Northumberland
Kelley of Littleton	LaFrance of Manchester,
Felch of Seabrook	Ward 7
Thayer of Jefferson	Keating of Keene
Rolfe of Rochester	Vashaw of Berlin
Anderson of Warren	Gilman of Franklin

**Insurance**

Wheeler of Exeter	Shea of Keene, Ward 1
Davis of Greenfield	Nelson of Dover
Varney of Rochester	Dumont of Rochester
Lacaillade of Laconia	Hebert of Somersworth
Adams of Charlestown	Dumais of Nashua
Johnson of Rochester	Desmarais of Nashua
Heald of Wilton	Leclerc of Manchester
Fairbanks of Boscawen	Tremblay of Manchester,
Stickney of Salem	Ward 14
Allard of Manchester, Ward 13	Bowles of Easton
Latour of Nashua	

**Judiciary**

Totman of Alstead	Grey of Canaan
Frizzell of Charlestown	Willey of Westmoreland
Cooper of Nashua	Pickett of Keene
Peever of Salem	Healy of Manchester, Ward 6
Griffin of Auburn	Desnoyer of Claremont
Eastman of Exeter	Plourde of Pembroke
Ainley of Manchester, Ward 1	Normandin of Laconia
Bingham of Concord	Spanos of Newport
Upton of Concord	Moran of Manchester, Ward 8
Johnson of Hanover	Capistran of Manchester,
Pryor of Ashland	Ward 12
Chandler of Portsmouth	

**Labor**

Angus of Claremont	Bartlett of Goffstown
Stevenson of Bethlehem	Roy of Berlin
Haseltine of Merrimack	Habel of Somersworth
Ferguson of Concord	Laflamme of Concord
Richardson of Dover	Belanger of Manchester,
Berringer of Woodstock	Ward 10
Sanders of Concord	Dion of Manchester, Ward 3
White of Derry	Mahoney of Manchester,
Bean of Waterville	Ward 4
Grant of Salem	Wade of Manchester, Ward 8
Verrill of Laconia	Champagne of Manchester,
Gallagher of Hudson	Ward 8

**Liquor Laws**

Collishaw of Exeter	O'Connor of Manchester,
Nahil of Claremont	Ward 6
Murch of Portsmouth	Vachon of Manchester,
Marsan of Rochester	Ward 14
Osborne of Portsmouth	Rousseau of Manchester,
Blanchard of Jackson	Ward 13
Feldman of Manchester,	Charland of Franklin
Ward 1	Clancy of Manchester, Ward 6
Canty of Salem	Chapdelaine of Manchester,
Kelley of Franklin	Ward 13
Bergeron of Manchester,	Desilets of Berlin
Ward 10	Provencal of Hudson
Bouchard of Berlin	Lavallee of Nashua
Hayes of Manchester, Ward 3	Grady of Manchester, Ward 14

**Mileage**

McAllister of Barnstead	Roberts of Conway
Kearns of Manchester	Maloomian of Somersworth
McKay of Dunbarton	

**Military and Veterans' Affairs**

Gay of Derry	Cormier of Somersworth
Watkinson of Fitzwilliam	Bouley of Nashua
Sawyer of Winchester	Boisvert of Nashua
Campbell of Claremont	Cournoyer of Jaffrey
Hackett of Epping	Coussoule of Portsmouth
Pollock of Keene	Dubois of Nashua
Whitney of Deering	Kendrigan of Manchester,
Hutchinson of Chichester	Ward 11
Guest of Cornish	Doherty of Manchester,
Joslyn of Sanbornton	Ward 6
Cann of Claremont	Littlefield of Somersworth

**Municipal and County Government**

Hill of Conway	Todd of New Boston
Frank of Portsmouth	Stafford of Portsmouth
Hackler of Swanzey	Schwaner of Plaistow
Pickering of Hancock	Crouch of Durham
Barker of Stratham	Gaffney of Claremont
Littlehale of Durham	Desmarais of Jaffrey
Hanson of Bow	Bednar of Hudson
Gowing of Dublin	Palmer of Kensington
White of Atkinson	Lafond of Hooksett
Morrill of Salem	Brummer of Lisbon
Tuttle of Dover	Robinson of Pembroke

**Public Health**

Green of Rollinsford	Ferguson of Milford
Mahony of Manchester,	Chamberlain of Wolfeboro
Ward 2	Howard of Bartlett
Clark of Kingston	Dionne of Nashua, Ward 2
Hayner of Laconia	O'York of Dover
Andersen of Concord	Mason of Nashua
Arsenault of Randolph	Rubins of Rochester
Pinkham of Northwood	Maglaras of Dover
McCarthy of Laconia	Lambert of Hooksett
Fogg of Milan	Dubey of Berlin
Bennett of Richmond	

**Public Welfare and State Institutions**

Ayre of Laconia	Dawson of Milton
Maxham of Concord	Legasse of Portsmouth
Wylie of Fremont	Tessier of Manchester, Ward 7
Bouvier of Swanzev	Bernier of Manchester
Hayward of Hanover	Blanchette of Dover
Tarrant of Pittsfield	Vincent of Somersworth
Morrison of Salem	Peabody of Pelham
O'Shan of Laconia	Bissonnette of Nashua
MacDonald of Concord	Gamache of Manchester,
Shea of Keene, Ward 2	Ward 14
Thompson of Wilmot	Beaudoin of Rochester
Dame of Concord	

**Public Works**

Taft of Greenville	Remick of Tamworth
Plumer of Bristol	Allard of Littleton
Willey of Campton	Young of Rye
Wiggin of Bedford	Shindledecker of Hampton
Fox of Wakefield	Dame of Portsmouth
Turner of Gilsum	Fortier of Berlin
Marsh of Colebrook	D'Amante of Claremont
Davis of Conway	Downing of Newport
Edwards of Antrim	McGee of Lincoln
Nickerson of East Kingston	Keefe of Portsmouth
Moore of Bradford	

**Resources, Recreation and Development**

Casassa of Hampton	Herbert of Windham
Smith of Dover	Martin of Goffstown
Rice of Peterborough	Stinson of Stratford
Barney of Rumney	Harkins of Laconia
Urie of New Hampton	Sewall of Newmarket
Oliver of Marlborough	Roy of Berlin
Kimball of Derry	Fontaine of Berlin
Perkins of Alton	Phelps of Andover
Goodhue of Gilford	Conover of Manchester,
Weber of Croydon	Ward 2
Goodfellow of Dorchester	Bolduc of Belmont
Hampson of Hebron	

**Rules**

The Speaker	Shepard of Londonderry
Peterson of Peterborough	Pappagianis of Nashua
Weeks of Greenland	Kearns of Manchester
Goode of Manchester	

**Transportation**

Claffin of Wolfeboro	Hughes of Brookfield
Soucy of Manchester, Ward 1	Buker of Merrimack
Carpenter of Henniker	Carter of Milford
Kimball of Manchester, Ward 2	Chase of Rochester
Moulton of New Durham	McGee of Lincoln
Graham of Gorham	Sullivan of Nashua
Cushman of Orford	Coutermarsh of Berlin
Bennett of Strafford	Barnard of Goffstown
Shute of Lancaster	McDermott of Manchester, Ward 4
Rufo of Concord	Clancy of Manchester, Ward 5

**Ways and Means**

Larty of Haverhill	Underhill of Nashua
Diffenderfer of Ossipee	Palmer of Plaistow
McAllister of Barnstead	Pettigrew of Manchester, Ward 1
Geisel of Manchester, Ward 1	Kearns of Manchester, Ward 10
Bevan of Durham	Cullity of Manchester, Ward 4
Colbath of Dover	Morris of Manchester, Ward 9
Hancock of Concord	Casey of Manchester, Ward 6
Howe of Tilton	Hurley of Manchester, Ward 11
Thompson of Northfield	Sabluski of Nashua
Brocklebank of Hollis	Twadus of Newmarket
Lang of Manchester, Ward 1	

**Afternoon Session**

On motion of Mr. Sheridan of Berlin the House adjourned at 12:28 o'clock.

WEDNESDAY, JANUARY 9, 1963

The House met at 11:00 o'clock.

### **Joint Convention**

Prayer was offered by Reverend Harold Worster, Assistant Chaplain of the N. H. State Hospital, as follows:

O God, Our Heavenly Father, by whose righteousness alone a Nation is exalted. We thank thee for those who serve the needs of mankind in the spirit of wisdom and justice and a profound concern.

We particularly give thanks for this body here assembled in genuine democracy, recognizing the great responsibility it faces and yet with each member dedicated to the giving of his or her best as thou, O God, dost reveal the truth.

We pray this morning for thy guidance in the ways of insight and wise decisions with the faith that one's personal integrity, coupled with honest concern for the common good, will be productive of the creative and good community. Amen.

### **Pledge of Allegiance**

Mr. Delisle of Manchester led the Convention in the Pledge of Allegiance to the Flag.

### **House Leaves of Absence**

Messrs. Allard of Littleton and Pappagianis of Nashua were granted leaves of absence for today and Thursday on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing, and referred as follows:

HB 46, relative to the equipping of motor vehicles with safety belts. (Mr. Cobleigh Ward 1, Nashua) to Transportation.

HB 47, relating to the conduct of sweepstake races and the sale of tickets thereon. (Mr. Pickett of Keene) to ways and Means.

### Report

Mr. Maxham of Concord for the committee to appoint a Chaplain offered the following:

The Committee for the Selection of Chaplain for the session of the 1963 General Court wishes to report they have selected the Reverend William L. Shafer of Chichester for the duties of Chaplain.

The report was accepted.

On a *viva voce* vote the report was adopted.

### Appointment of Attaches

The Speaker appointed the following attaches:

Chaplain — Rev. William L. Shafer, Chichester  
Custodian of Mail and Supplies — Forrest A. Bucklin, Laconia  
Warden of the Coat Room — J. Edward Silva, Concord  
Assistant Warden of the Coat Room — John B. Mulaire, Hooksett  
Library Messenger — Mellen B. Benson, Conway  
Telephone Messenger — Hilda C. F. Brungot, Berlin  
Speaker's Page — Wilmont S. White, Moultonborough  
Pages — Division 1, James Martin, Concord  
          Division 2, Richard Odell, Temple  
          Division 3, Thomas Armstrong, Manchester  
          Division 4, Meda L. Kinghorn, Piermont  
          Division 5, Florence G. Sheridan, Dover  
Supervisor of Public Address System — H. Furber Jewett, Wolfeboro  
Judiciary Messenger — Fletcher M. DeWolf, Alexandria  
Appropriations Messenger — William Palfrey, Portsmouth  
Clerks Messenger — J. Elmer Harrington, Bethlehem  
House Stenographers — Alice V. Flanders, Henniker  
                              Marion C. Colby, Concord  
                              Dorothy M. Spear, Meredith  
Judiciary Stenographer — Helen Y. Andrews, Tilton  
Clerk's Secretary — Margaret L. Ford, Concord  
Speaker's Secretary — Helene H. Wester, Concord  
Appropriations Stenographer — Dorothy St. Onge, Concord  
Mileage Clerk — Alice P. Pinkham, Northwood



### Senate Message

The Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

HJR 1, Joint Resolution relative to the interim commission on education.

### Communication

Interim Commission on Education  
Honorable Stewart Lamprey, Speaker  
House of Representatives  
State House,  
Concord, N. H.

January 8, 1963

Dear Speaker Lamprey:

Enclosed please find a copy of our Preliminary report of the Interim Commission on Education which we hope you will transmit formally to the House.

We will transmit our final report to you later in February.

Our Commission appreciates the privilege of serving as a temporary body on the mission assigned by chapter 291, Laws of 1961. We hope we have made a contribution to the deliberations of the General Court.

Very truly yours,

Raimond Bowles, Chairman

The Chair ordered the report of the Interim Commission to be filed with the Clerk.

### Qualified

Mrs. Dawson of Milton and Mr. Joslyn of Sanbornton, having appeared before His Excellency, Governor John W. King, and been duly qualified, appeared and took their seats in the House.

## Communication

January 8, 1963

Honorable Francis Tolman  
Clerk of the House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Tolman:

Re: Raimond Bowles

vs.

Ann Sadler  
Henry S. Murch, Jr.  
Ernest E. Stafford

By subpoena duces tecum, I was designated as Magistrate to take depositions on the above-captioned matter, as provided in RSA 67:2, 3.

Accompanying this covering letter in a sealed package are the following, given to me as Magistrate:

Deposition of Robert L. Stark, Secretary of State

Deposition of Thomas J. McDonough, City Clerk of Portsmouth

Exhibits 1, 2, 3a, 3b, 3c, 4, 5, 6a, 6b, 6c

Copy of a letter of Raimond Bowles dated December 14, 1962, directed to the Honorable Henry S. Murch, Jr., which indicates that the same notice was sent to the Honorable Ann Sadler and the Honorable Ernest E. Stafford, together with the registered mail receipts showing the postmark December 15, 1962 at Portsmouth, New Hampshire, and which have been signed by Ann Sadler, Henry S. Murch, Jr. and Mrs. E. E. Stafford, and also the notice of deposition which was served on Mrs. Sadler and Messrs. Murch and Stafford on the twenty-first of December, notifying them that the deposition of Secretary of State Robert Stark and Portsmouth City Clerk Thomas J. McDonough would be taken on Friday, December 28, at 2 p.m. and 2:30 p.m. respectively.

On behalf of Griffin, Harrington & Brigham, William F. Harrington, Jr., representing Henry S. Murch, filed a special appearance, which is special for the purpose of contesting the jurisdiction.

Edward C. Kelley  
Justice of the Peace

The Clerk read the letter in full.

The Chair referred the matter to the committee on Elections.

Mr. Pickett of Keene moved that the committee on Elections be discharged from further consideration of the petition referred to them by the member from Easton, Mr. Bowles, and spoke in favor of the motion.

On a *viva voce* vote the motion was adopted.

### Reconsideration

Mr. Kimball of Manchester moved that the House reconsider its vote whereby it adopted a resolution that the sessions of the House were to be taped, and spoke in favor of the motion.

(discussion ensued)

The Chair stated that, the question before the House being a procedural question, the Chair had the right to speak, and extended remarks in explanation of the resolution.

Mr. McMeekin of Haverhill spoke against the motion.

(discussion ensued)

Mr. Plumer of Bristol spoke against the motion.

(discussion ensued)

Mr. Upton of Concord spoke against the motion.

Messrs. Bednar of Hudson, Peterson of Peterborough, Kearns of Manchester and Pickett of Keene spoke against the motion.

(discussion ensued)

Mr. Plourde of Pembroke moved the previous question, and it was sufficiently seconded.

On a *viva voce* vote the motion was adopted.

The question now being on reconsideration of the resolution on tape recording.

On a *viva voce* vote the motion to reconsider was not adopted.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time, that all bills be read by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

### Afternoon Session

On motion of Mr. Ferguson of Concord the House adjourned at 12:07 o'clock.

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THURSDAY, JANUARY 10, 1963

The House met at 11:00 o'clock

### Joint Convention

Prayer was offered by the Chaplain, Reverend William L. Shafer as follows:

"O GOD, who art ever present in that hidden life which we all live, in our unspoken thoughts, in the feelings that come and go yet leave no trace, in the great conflicts of the soul in which we are sometimes conquerors and are sometimes confused, to our secret shame: Help us to realize that each moment of life is momentous because Thou art in it, for, interfused with Thee, are we not led even when we seem to drift; taught, when we think not of learning; and crowned, when we strive worthily, whether we win or not? We pray, then, for grace to follow Thy word in us with ready and willing minds; make us thankful for whatever loveliness the days reveal and for the swiftly flying hours of leisure in which we are renewed and fitted for the slow, long hours of work. Do Thou bless the Members of this assembled body in these days of honest striving to fulfill the highest aims and aspirations of true men and women, and grant that, by their endeavors, peace and happiness, truth and justice, religion and piety may be established among us for all generations. This we ask in the Spirit of the Master of Life — A-men."

### **Pledge of Allegiance to the Flag**

Mrs. Potter of Northumberland led the Convention in the pledge of allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mrs. Dawson of Milton was granted a leave of absence on account of a death in the family.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing and referred as follows:

HB 48, relative to public libraries. (Frizzell of Charlestown) to Municipal and County Government.

HB 49, relative to the removal, transportation and disposal of human or animal excrement and other putrescible material. (Newell of Concord) to Public Health.

HB 50, relating to classification of Class D waters. Urie of New Hampton) to Resources, Recreation and Development.

HB 51, relative to unemployment benefits for certain seasonal employees of the state. (Hackett of Epping) to Executive Departments and Administration.

HB 52, providing for the assessment of a special poll tax for school purposes. (Willey of Campton) to Ways and Means.

HB 53, changing the hours for hunting wild deer and black bear. (Stevenson of Bethlehem) to Fish and Game.

HB 54, providing for the acquisition of a certain dam and water rights by the water resources board. (Berringer of Woodstock) to Resources, Recreation and Development.

HB 55, relative to hunting deer by groups of persons. (Underwood of Chester) to Fish and Game.

HB 56, relating to the disqualification of justices of the municipal court. (Upton of Concord) to Judiciary.

HB 57, authorizing the town of Hanover and the village precinct of Hanover to provide life and health insurance for its employees. (Low of Hanover) to Municipal and County Government.

HB 58, relative to minimum treatment standards for sewage and industrial wastes. (Urie of New Hampton) to Resources, Recreation and Development.

### **Engrossed Bills Report**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Joint Resolution:

HJR 1, Joint Resolution relative to the interim commission on education.

Senator Hartman for the Committee.

### **House Rules Amendments**

Messrs. Peterson of Peterborough and Pappagianis of Nashua offered the following amendments to the Rules of the House:

1 Amend the second paragraph of Rule 35 by changing the membership of the Committee on Rules to eight members and the Committee on Journal to five members, so that said paragraph shall read as follows:

The following standing administrative committees shall be appointed at the commencement of any session: Committee on Rules, consisting of eight members, one of whom shall be the speaker; Committee on Journal, consisting of five members, one of whom shall be the speaker; Committee on Mileage, consisting of five members; Committee on Elections, consisting of five members and Committee on Interstate Cooperation, consisting of five members, one of whom shall be the speaker.

2 Amend Rule 35 by striking out the fourth paragraph and inserting in place thereof the following:

It shall be the duty of the Committee on Appropriations to examine and take into consideration the state of the treasury; to consider the budget, all measures carrying appropriations of state money, claims against the state in excess of two thousand five hundred dollars (\$2,500), every subject concerning the financial interests of the state, and such other matters as may

be referred to it. Prior to its report to the House, the Committee on Appropriations may refer the budgets of certain self-sustaining state agencies to appropriate committees for study and recommendation. The Committee on Appropriations shall assume the ultimate responsibility for keeping the state budget in balance.

Mr. Peterson of Peterborough spoke in favor of the amendments.

(discussion ensued)

On a *viva voce* vote the amendments were adopted.

Messrs. Peterson of Peterborough and Pappagianis of Nashua offered the following amendments to the rules of the House.

3 Amend the Rules of the House by inserting after Rule 49 the following:

50. No standing rule or order of the House shall be rescinded without one day's notice being given of the motion therefor and by a vote of two-thirds of the members present.

51. No standing rule or order of the House shall be suspended unless by a vote therefor of two-thirds of the members present.

Further amend the Rules of the House by renumbering Rules 50 through 57 inclusively to read respectively 52 to 59, inclusive.

4 Amend Rule 49 by striking out the same and inserting in place thereof the following: 49. All bills and joint resolutions appropriating state money, reported from any committee, except those from the Committee on Claims and Aeronautics having to do with claims against the state (whether chargeable against Special Fund or the General Fund) if the amount of the claim is two thousand five hundred dollars (\$2,500) or less, shall be referred to the Committee on Appropriations for revision. If any such bills or joint resolutions have been referred jointly to the Committee on Appropriations and another standing committee, the Committee on Appropriations may report separately and no further public hearings shall be required by the Committee on Appropriations.

Mr. Pappagianis of Nashua spoke in favor of the amendments.

(discussion ensued)

(Mr. Taft in the Chair)

Mr. Lamprey of Moultonborough spoke in explanation of the amendments to the Rules.

(Speaker in the Chair)

On a *viva voce* vote the amendments were adopted.

Mr. Newell of Concord offered the following amendment to the rules:

1 Parliamentary Procedure. Amend the standing rules of the House by inserting after Rule No. 21 the following new rule:

21-a. Mason's "Manual of Legislative Procedure" shall govern in all parliamentary situations in which they are not inconsistent with the standing rules and orders of the House.

Mr. Newell of Concord spoke in favor of the amendment.

Mr. Pickett of Keene spoke against the amendment.

Mr. Peterson of Peterborough spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

### Qualified

The following members, having appeared before His Excellency, John W. King, and been duly qualified appeared and took their seats in the House:

Mrs. Hampson of Hebron

Mr. Chandler of Portsmouth

Mr. Rolfe of Rochester

Mr. Geisel of Manchester

Mr. Abare of Troy

Mr. Dupont of Manchester

\* \* \*

Mr. Johnson of Hanover moved that the rules of the House be so far suspended as to permit a public hearing on the petition



of Mr. Bowles of Portsmouth without two days' notice in the Journal.

Mr. Murch of Portsmouth spoke against the motion.

(discussion ensued)

Mr. Kearns of Manchester spoke against the motion.

Mr. Johnson of Hanover withdrew his motion.

### **Communication and Minority Report**

January 2, 1963

The Honorable Stewart Lamprey  
Speaker of the House  
House of Representatives  
Concord, New Hampshire

Dear Mr. Lamprey:

I am enclosing, herewith, a Minority Report of the proposed new bridge between Portsmouth, New Hampshire and Maine, which is self-explanatory.

The reason I am filing this report is that I feel the citizens of New Hampshire will never use the bridge. Therefore, I do not see why they have to pay for it.

Very truly yours,  
Andrew H. Jarvis,  
Member of Interim Committee

The minority report was accepted and filed with the Clerk.

### **Appointment to Rules Committee**

Mr. Desnoyer of Claremont was appointed as a new member of the Rules Committee.

### **Speaker's Remarks**

The Speaker informed the House that, the first two weeks of the session having been largely devoted to organization and to the ceremonies attendant on the inauguration of the Governor, the membership could expect the regular routine of the session to get under way next Tuesday. The Speaker also expressed his hope that the members would spend as much of

their time as possible in attending to the duties of their own committees, and in attending the hearings of other committees.

\* \* \*

The Chair announced that today is the 21st wedding of the member from Jaffrey, Mr. Cournoyer and the birthday of Miss Bailey of Newport.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 o'clock.

On motion of Mr. Hancock of Concord the House adjourned at 12:08 o'clock.

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TUESDAY, JANUARY 15, 1963

The House met at 11:00 o'clock.

### Joint Convention

Prayer was offered by the Chaplain, Reverend William L. Shafer, as follows:

O Father of eternal wisdom, grant unto us this day thine inspiration — that through the renewing of our strength we may accept the many challenges placed before us with Thy guidance. Sharpen our vision as we examine our conscience in the light of divine Truth. Help us to remain ever true to the faith placed in us by the people of our beloved "Granite State". Create within our hearts the sense of united purpose, molded by Thy loving care and nurtured by our humble efforts. Grant Thy blessing upon our Governor, his Council, the Members of this Joint Convention, and all those who labor for the growth and welfare of our State and its citizens. In the name of the Father, the Son, and the Holy Spirit — A-men.

### Pledge of Allegiance to the Flag

Mr. Cheney of Newton led the convention in the pledge of allegiance to the flag.

### Leaves of Absence

Mrs. Martin of Littleton was granted an indefinite leave of absence on account of illness.

Mr. Merrill of Hampton Falls was granted a leave of absence for two weeks on account of military duty.

Mr. Peabody of Pelham was granted a leave of absence for the day on account of illness.

### Introduction of Bills

The following bills were introduced, read a first and second time, laid on the table for printing and referred as follows:

HB 59, requiring cities and towns to provide adequate courtrooms for municipal courts. (Upton of Concord) To Judiciary.

HB 60, relating to the support of spouse. (Upton of Concord) To Judiciary.

HB 61, relating to pulmonary disease. (Upton of Concord) To Labor.

\* \* \*

Mr. Hill of Conway moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

On a *viva voce* vote the motion was adopted.

### Committee Report

HB 40, relative to sewage and waste treatment plants and septic tanks for the town of Littleton. (Hill of Conway for Municipal and County Government) Ought to pass with amendment.

### Amendment

Amend section 5 of said bill by striking out said section and inserting in place thereof the following:

5 Takes Effect. This act shall not take effect unless the provisions hereof are adopted by a majority vote, under a proper article in the warrant, at any annual or special town meeting of the town of Littleton.

Mr. Hill of Conway spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mr. Peterson of Peterborough offered the following resolution and moved its adoption.

### **Resolution**

*Resolved* by the House of Representatives that the Speaker of the House be directed to appoint three members of the House to act as a screening committee to determine what documents and papers of a general and miscellaneous nature shall be distributed to the members of the House.

On a *viva voce* vote the resolution was adopted.

The Chair appointed the following members as a screening committee for the House:

Mrs. Palmer of Plaistow, Messrs. Plumer of Bristol and Sheridan of Berlin.

### **Monitors Appointed**

The Chair appointed the following members to act as Monitors during the session: Messrs. Carter of North Hampton, Stevens of Epsom, Beard of Lebanon, Bennett of Keene, McAllister of Barnstead, Brown of Loudon, Barnard of Goffstown, Wiggin of Bedford, Cormier of Somersworth, Walsh of Manchester, Reddy of Hopkinton, Maxham of Concord, Stafford of Portsmouth, Collishaw of Exeter, Moore of Bradford and McCarthy of Laconia.

### **Concurrent Resolution**

Mrs. Brown of Sandwich offered the following concurrent resolution:

*Resolved* by the House of Representatives the Senate concurring:

That the House and Senate committees on Education act as a joint committee to make a study of the possible capital needs for the educational institutions, including the University, the Teachers Colleges and the Technical Institutes, for a 15 years period. Said special committee shall make a report of its findings to the 1963 session of the general court. Said report shall be filed on or before May 15, 1963.

The concurrent resolution was referred to the committee on Education.

### Concurrent Resolution

Mrs. Ayer of Laconia offered the following concurrent resolution:

*Resolved* by the House of Representatives the Senate concurring:

That the House and Senate committees on Public Welfare and State Institutions act as a joint legislative committee to make a study of the possible capital needs of the state institutions for a projected twenty-year period. Said special committee shall make a report of its findings to the 1963 session of the general court.

Said report shall be filed on or before May 15, 1963.

The concurrent resolution was referred to the committee on Public Welfare and State Institutions.

### Senate Message

The Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the following entitled Concurrent Resolution sent up from the House of Representatives: Concurrent Resolution relating to number of sponsors on bills and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate Senator Monahan of District 5 and Senator Rainie of District 15.

Mr. Pickett of Keene moved that the House accede to the request of the Honorable Senate and that a committee of three be appointed as conferees on the part of the House.

On a *viva voce* vote the motion was adopted and the Chair appointed Mrs. Potter of Northumberland, Mrs. Marx of Langdon and Mr. Eastman of Weare as House conferees.

### Personal Privilege

Mr. Angus of Claremont rose on a point of personal privilege.

\* \* \*

The Chair announced that today is the birthday of Mr. Ring of Hampton.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only, resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

### **Third Reading**

HB 40, relative to sewage and waste treatment plants and septic tanks for the town of Littleton, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Thompson of Wilmot the House adjourned at 11:48 o'clock.

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WEDNESDAY, JANUARY 16, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Reverend Louis Watson of the Brentwood Baptist church as follows:

Almighty God our Father: from everlasting to everlasting Thou art God:

We would acknowledge Thy power, and Thy presence everywhere; and we would invoke that presence here today.

We pray for those in our government who are meeting today; in our national government and in our state governments. Bless all those who are appointed to make the laws under which we live. Help each one to have an awareness of being under Thy care and keeping. And may all that is done here today be done in such a way as to be well pleasing to Thee, and for the best interests of our state, and our land. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Vey of Brentwood led the Convention in the Pledge of Allegiance.

## House

### Leaves of Absence

Mr. Peabody of Pelham was granted leave of absence for today and Thursday on account of illness.

Messrs. Purington of Exeter and Charland of Franklin were granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, laid on the table for printing and referred as follows:

HB 62, providing penalties for the reckless operation of boats resulting in death. (Goodhue of Gilford) To Executive Departments and Administration.

HB 63, relative to hunting from motor vehicles by disabled persons. (Desilets of Berlin) To Fish and Game.

HB 64, relative to funds for the state nursing scholarship program (Brown of Sandwich) To Public Health.

HB 65, relative to non-resident hunting and fishing licenses. (Vashaw of Berlin) To Fish and Game.

HB 66, relative to fish and game licenses for persons over seventy years of age. (Vashaw of Berlin) To Fish and Game.

HB 67, relative to the advisory commission of the department of resources and economic development, and transfers within said department. (Newell of Concord) To Executive Departments and Administration.

HB 68, relating to revenue derived from shellfish licenses and fines. (Felch of Seabrook) To Fish and Game.

HB 69, to legalize the annual meeting of the town of Seabrook, March, 1962. (Felch of Seabrook, by request) To Municipal and County Government.

HB 70, relative to approval of rates payable for care of dependent children. (Gamache of Manchester) To Public Welfare & State Institutions.

HB 71, relative to special meetings of the mayor and board of aldermen of Concord (Gove of Concord) To the Concord Delegation.

Mr. Hill of Conway moved that the rules of the House be so far suspended as to dispense with the printing of HB 69.

The Clerk read the bill in full.

The motion was adopted and the Chair ordered the bill to be printed in the Journal.

### **House Bill 69**

An Act to legalize the annual meeting of the town of Seabrook,  
March, 1962

Be it Enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized: All proceedings of the town of Seabrook taken at the annual meeting held on March 13, 1962 and any adjourned sessions thereof are hereby validated and confirmed, and the selectmen are authorized to issue bonds or notes of the town not exceeding fifty thousand dollars pursuant to the vote of the town passed on March 13, 1962.

2. Takes Effect. This act shall take effect upon its passage.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 40, An act relative to sewage and waste treatment plants and septic tanks for the town of Littleton.

Mrs. Potter of Northumberland  
for the committee

### **Committee Report**

Mr. Johnson of Hanover for the Committee on Elections: Petition of Florence Morey of Hart's Location praying for a seat in the House of Representatives. Petition be denied.

The resolution was adopted.



### Resolutions

Mr. Cote, Ward 8, Manchester offered the following resolutions for the Manchester Delegation:

*Whereas*, Edward W. Morris, Representative from Ward 9, Manchester, has passed away, and

*Whereas*, He was a Representative in the sessions of 1955, 1957 and 1959, a Selectman for three terms, and served on the Mexican Border 1915-1917, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our Fellow Member for his services to his city, state and country, and be it further

*Resolved*, That we extend our heartfelt sympathy to his widow in her bereavement, and that the Clerk of the House transmit to her a copy of these Resolutions.

On a rising vote of silent prayer the resolutions were unanimously adopted.

\* \* \*

Mr. Peterson of Peterborough and Mr. Pappagianis of Nashua offered the following resolution:

*Resolved*, That the time for introduction of bills be extended for two weeks, to Thursday, January 31st. Requests for bills may be filed with Miss Alexander of the Attorney General's office prior to the above date. Such requests shall be made in the name of the sponsor of the bill and shall state the subject matter of the proposed bill.

The resolution was adopted.

Mr. Peterson of Peterborough offered the following concurrent resolution:

*Resolved*, by the House of Representatives the Senate concurring:

The Speaker of the House of Representatives shall appoint five members of the House and the President of the Senate shall appoint three members of the Senate to constitute a special committee for the purpose of studying the needs of the departments and agencies of the state and of the general court so far as space is concerned for their proper operation. The committee

shall project its study for a fifteen-year period of possible expansion of state services and the resulting need for office space. Said committee shall report to the 1963 session of the general court.

The resolution was referred to the committee on Public Works.

Mr. Remick of Tamworth offered the following resolution:

*Resolved:* That the Speaker is hereby authorized and directed to appoint a special committee to be composed of seven members whose function it shall be to examine into the nature and extent of the real property owned by the state in the town of Tamworth, together with the purposes for which said property is so held. In connection with such examination the committee shall consider whether such property, or any part of it, should be sold, and whether the purpose for which any of such property is held or used should be changed. The Committee shall render its report and recommendations to the House on or before May 1, 1963.

The resolution was referred to the committee on Resources, Recreation and Development.

### Communication

January 14, 1963

Honorable Stewart Lamprey  
Speaker of the House of  
Representatives  
State House  
Concord, New Hampshire

Dear Mr. Speaker:

We, herewith, submit the report of the New Hampshire Legislative Council to the 1963 legislative session.

Very truly yours,

Howell F. Shepard, Chairman,  
Legislative Council, Concord, N. H.

The report was accepted and filed with the Clerk.

### **Qualified**

Mr. White of Atkinson appeared before His Excellency, John W. King, and was duly qualified as a member of the House.

### **Tellers Appointed**

Div. 1, Angus of Claremont  
Div. 2, Kearns of Manchester  
Div. 3, Taft of Greenville  
Div. 4, Bigelow of Warner  
Div. 5, Peever of Salem

### **Senate Message**

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 40, An act relative to sewage and water treatment plants and septic tanks for the town of Littleton.

### **Announcement**

The Chair announced that Mrs. Ainley of Manchester had been elected President of the Manchester Republican Club.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock to be in order at the present time and that when the House adjourns today it be to meet at 11:00 tomorrow morning.

### **Afternoon Session**

On motion of Mr. Newell of Concord the House adjourned at 11:26 A.M.

THURSDAY, JANUARY 17, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O God of eternal love and mercy, visit us in this day of our deliberation. Let wisdom and knowledge freely flow within our midst as we are confronted by the important issues of government and life. Remove vain ambition and thoughts of personal gain from our hearts as we strive together to create a more perfect society in which to live, to work, and to play. Let selfishness give way to brotherhood — achieved through mutual respect and trust as we labor in the common interest of our citizens. Protect us from the eroding evils of the world as we gird ourselves with the helmet of faith, the breastplate of truth, and the garments of righteousness. Let the virtues of justice and mercy flow in our lives like the great rivers of water in our beloved Granite State. A-men.

### **Pledge of Allegiance to the Flag**

Mr. Brummer of Lisbon led the Convention in the Pledge of Allegiance.

### **House**

#### **Leave of Absence**

Mrs. Greene of Rye was granted leave of absence for the day on account of illness.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing and referred as follows:

HB 72, relative to the charter of the New Hampshire Centennial Home for the Aged. (Newell of Concord) To Executive Departments & Administration.

HB 73, relative to gifts to towns. (Remick of Tamworth) To Judiciary.

HB 74, relating to prowlers; peeking in windows. (Capistran of Manchester, Ward 12) To Judiciary.

### **Report of Committee of Conference**

The Committee of Conference, to which was referred the Concurrent Resolution providing that no more than three sponsors shall be permitted on any one bill, having considered the same, reports the same with the following recommendations:

That the Senate recede from its position of non-concurrence, and that the House recede from its position in adopting the concurrent resolution.

Senator Monahan  
Senator Rainie  
Conferees on part of the Senate  
Mrs. Potter of Northumberland  
Mrs. Marx of Langdon  
Mr. Eastman of Weare  
Conferees on part of the House

Mrs. Potter of Northumberland spoke in favor of the report.

The report was adopted.

### **Filing Time for Bills**

The Speaker asked unanimous consent of the House on the adoption, during the session of Wednesday, January 16, of the resolution extending the time for introduction of bills.

Such unanimous consent was granted.

### **Committee Reports**

HB 15, An act providing for certain deductions from retirement benefits for employees of political subdivisions. Mr. McMeekin of Haverhill for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 17, An act transferring Brookfield and Wakefield from councilor district 2 to district 1. Mr. Stafford of Laconia for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 1, An act relative to exemption from liability in certain cases under the civil defense act. Mrs. Frizzell of Charlestown for Judiciary. Ought to pass.

The Bill was ordered to a third reading.

### Resolutions

Mr. Peaslee of Concord, for the members from Ward 6, and Mr. York of Concord, for the members from Concord, offered the following resolutions:

*Whereas*, George W. Lovejoy, Representative from Concord in the 1961 session of the House of Representatives of the General Court of New Hampshire, has passed away, and

*Whereas*, he was the father of Mrs. Margaret L. Ford, House Clerk's Stenographer, therefore be it

*Resolved*, That we, the Members of the House of Representatives, hereby pay tribute to our former Fellow Member for his service to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his widow, Mrs. Lovejoy, and to his daughter, Mrs. Ford.

The resolutions were unanimously adopted.

Miss Bailey and Messrs. Downing and Spanos of Newport offered the following resolutions:

*Whereas*, Joseph D. Vaughan, a former Representative from Newport for several sessions, has passed away, and

*Whereas*, he also served as State Senator, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to his widow, Mrs. Joseph D. Vaughan.

The resolutions were unanimously adopted.

Messrs. Gamache and Cote of Manchester offered the following resolutions:

*Whereas*, Roger Crowley, former Representative from Manchester, Ward 14, has passed away, and

*Whereas*, he also served his city as alderman, water commissioner, and was a member of the National Guard, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, That we extend to his widow, Mrs. Roger Crowley, our heartfelt sympathy in her bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to her.

The resolutions were unanimously adopted.

Messrs. Gamache and LaFrance from Manchester offered the following resolutions:

*Whereas*, Michael S. Donnelly, former Representative from Manchester, Ward 14, has passed away, and

*Whereas*, he also served his city as deputy tax collector, alderman and supervisor of the check list, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, That we extend to his sister, Margaret G. Donnelly, our heartfelt sympathy in her bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to her.

The resolutions were unanimously adopted.

Mr. London of New London offered the following resolutions:

*Whereas*, Andrew R. Brown, former Representative from Danbury has passed away, and

*Whereas*, he also served his town as selectman, therefore be it

*Resolved*, That we, the members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his Town and State, and be it further

*Resolved*, That we extend our deep sympathy to the family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to his widow, Mrs. Andrew Brown.

The resolutions were unanimously adopted.

Messrs. Barker of Stratham and Collishaw of Exeter offered the following resolutions:

*Whereas*, John Fred Emery, former Representative from Stratham and former State Senator, has passed away, and

*Whereas*, he also served his town as selectman, tax collector, chief of police, highway agent, forest fire warden and auditor, therefore be it

*Resolved*, That we, the members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his Town and State, and be it further

*Resolved*, That we extend our deep sympathy to the family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to his widow, Mrs. Frances L. Emery.

The resolutions were unanimously adopted.

Mr. Thompson of Wilmot offered the following resolutions:

*Whereas*, Roy K. Sargent, former Representative from Danbury has passed away, and

*Whereas*, he also served his town as selectman and member of the school board, therefore be it



*Resolved*, That we, the members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his Town and State, and be it further

*Resolved*, That we extend our deep sympathy to the family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to his widow, Mrs. Roy K. Sargent.

The resolutions were unanimously adopted.

Messrs. York and LaFlamme of Concord, Ward 1, offered the following resolutions for the Concord Delegation:

*Whereas*, Frank J. Dowd, former Representative from Concord, Ward 1, in the House of Representatives of the General Court of New Hampshire, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives, hereby pay tribute to our former Fellow Member for his service to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his family.

The resolutions were unanimously adopted.

Mr. Varney of Rochester offered the following resolutions:

*Whereas*, Mrs. Helen Pierson, daughter of Mrs. Ruth Dawson, Representative from Milton, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby offer our heartfelt sympathy to our Fellow Member in her bereavement, and be it further

*Resolved*, That the Clerk transmit a copy of these Resolutions to her.

The resolutions were unanimously adopted.

### Announcement

The Chair announced that today is the 22nd wedding anniversary of Mr. & Mrs. Bednar of Hudson.

On motion of Mr. Pickett of Keene the rules of the House were so far dispensed with as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 15, providing for certain deductions from retirement benefits for employees of political subdivisions.

HB 17, transferring Brookfield and Wakefield from councilor district 2 to district 1.

HB 1, relative to exemption from liability in certain cases under the civil defense act.

On motion of Mr. Cormier of Somersworth the House adjourned at 11:43 A.M.

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TUESDAY, JANUARY 22, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Reverend Robert Sargent of the Tilton Congregational Church.

Almighty God who speaks to all of us if we will but listen, grant to all in authority, wisdom and strength to know and to do thy will. Fill them with the love of truth and righteousness; and make them ever mindful of their calling to serve the people. Keep these representatives of the people from hypocrisy in feeling or action, that they may help to bring us sound government, just laws, good education, and, above all, a spirit of service which will abolish pride of place and inequality of opportunity. Hear us, we beseech thee, as we pray for strength

and guidance for those in such places of responsibility. Defend them from all dishonesty and civic corruption, from all vain-glory and selfish luxury, and from all action which might conceivably lead to degradation of this state and its people. Almighty God, make them conscious of thy will that it might guide them in what they do. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Eastman of Exeter led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced 4 engineering students from Belo Horizonte, Brazil, guests of Judge and Mrs. Walter Sterling of Hillsborough.

#### **Leaves of Absence**

Messrs. Stafford of Laconia, Bevan of Durham, Urie of New Hampton and LaFrance of Manchester, Ward 7 were granted leave of absence for today on account of illness.

Mr. O'York of Dover was granted leave of absence for an indefinite period on account of illness.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing and referred as follows:

HB 75, An act relative to veterans' exemption. (Underhill of Nashua) To Military & Veterans' Affairs.

HB 76, An act to limit the period for which past due support of institutional inmates may be recovered and the rate for support of inmates at Laconia State School. (Pickett of Keene) To Public Welfare & State Institutions.

HB 77, An act relative to the salary of the mayor of Rochester. (Marsan of Rochester) To the Rochester Delegation.

HB 78, An act legalizing action taken at a special meeting in the town of Littleton. (Hill of Conway) To Municipal & County Government.

Mr. Hill of Conway moved that the rules of the House be so far suspended as to dispense with the printing of HB 78.

The Clerk read the bill in full.

\* \* \*

HB 78, An act legalizing action taken at a special meeting in the town of Littleton.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized. The votes and proceedings of the special town meetings held in the town of Littleton on January 16, 1963, adopting the provisions of an act of the legislature entitled "An Act relative to sewage and waste treatment plants and septic tanks for the town of Littleton" and the votes and proceedings relative to raising and appropriating funds for purposes authorized by said act and authorization for bond issue are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage. The motion was adopted.

\* \* \*

HB 79, An act relative to the national system of interstate and defense highways in the Portsmouth, New Hampshire, Kittery, Maine Area. (Osborn of Portsmouth) To Public Works.

HB 80, An act relative to depositing official ballots. (Hughes of Brookfield) To Judiciary.

HB 81, An act relative to the authority of the commissioner of public works and highways. (Berringer of Woodstock) To Public Works.

HB 82, An act relating to improper exposure of the person. (Charland of Franklin) To Judiciary.

HB 83, An act authorizing towns to remove diseased trees on private lands. (Ring of Hampton) To Judiciary.

HB 84, An act providing for chairman pro tem for water pollution commission and relative to standards for Class B-1 waters. (Casassa of Hampton) To Resources, Recreation and Development.

HB 85, An act providing one open season for taking of deer. (Willey of Campton, Brown of Sandwich and Smith of Plymouth) To Fish and Game.

HB 86, An act providing for a salary increase for classified state employees. (LaFrance of Manchester) To Executive Depts. & Administration.

HB 87, An act relative to racing on the ice of public waters. (Morrill of Salem) To Resources, Recreation and Development.

HB 88, An act relative to reciprocity of boat operation with residents of contiguous states. (Goodhue of Gilford) To Judiciary.

HB 89, An act relating to the exemption from property taxes of certain parts of the state airways system. (Pickett of Keene & Coutermarsh of Lebanon) To Ways and Means.

### Committee Report

Mr. Frink of Portsmouth for the Committee on Municipal and County Government, HB 34, relative to the sewerage system in the Plymouth Village Fire district. Ought to pass with amendment.

### Amendment to HB 34

Amend section 7 of said bill by striking out the same and inserting in place thereof the following:

7 Referendum. This act shall not take effect unless it is adopted by a majority ballot vote at any special or annual district meeting. If a majority of those voting on the question of the adoption of this act vote in the affirmative this act shall be declared to have been adopted.

8 Takes Effect. The provisions of section 7 shall take effect upon the passage of this act but the remaining sections shall take effect only after the adoption of the act as provided in section 7.

The Clerk read the amendment.

The amendment was adopted.

Mr. Smith of Plymouth offered the following amendment:

Amend section 2 by striking out the word "and" in the seventh line and inserting in place thereof the words, but shall not be used; further amend said section by striking out the

words "but shall not be used" in the eighth line and inserting in place thereof the word, or, so that said section as amended shall read as follows:

2 Sewer Funds. The funds received from the collection of the sewer rentals in the Plymouth Village Fire District shall be kept as a separate and distinct fund and shall be known as the sewer fund. Any surplus in such fund may be used for the enlargement or replacement of the sewerage system or the sewerage disposal works, but shall not be used for the extension of the sewerage systems to serve unsewered areas, or for any purpose other than those specified.

Mr. Smith spoke in favor of the amendment.

The amendment was adopted and the bill was ordered to a third reading.

### **Introduction of a Joint Resolution**

Mr. Pappagianis of Nashua offered the following House Joint Resolution No. 2.

*Be it Resolved* that the state treasurer be and hereby is directed to pay to the state of Edward W. Morris of Manchester the salary due said decedent as a member of the House of Representatives.

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to dispense with the printing of HJR 2.

The motion was adopted.

Mr. Pappagianis of Nashua moved that the rules be further suspended as to dispense with reference to committee and public hearing.

The motion was adopted and the Resolution was ordered to a third reading.

### **Senate Message**

The Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following described Concurrent Resolution:

Resolution providing that there shall be no more than three sponsors of a bill.

### **Qualified**

Mr. Chapdelaine of Manchester having appeared before His Excellency, Governor John W. King, and been duly qualified, appeared and took his seat as member of the House.

Mr. Hazeltine of Merrimack, having appeared before the Acting Governor, Philip S. Dunlap, having been duly qualified, appeared and took his seat in the House.

### **Announcement**

The Chair announced that today is the 41st birthday of Mr. Dion of Nashua.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 o'clock this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bill and house joint resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 34, relative to the sewerage system in the Plymouth Village Fire District.

HJR 2, in favor of Edward W. Morris.

On motion of Mr. Geisel of Manchester the House adjourned at 11:46 A.M.

WEDNESDAY, JANUARY 23, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Reverend Robert A. Sargent from the Federated Churches of Rollinsford, N. H. and South Berwick, Maine, as follows:

Most Gracious and Eternal Father, we thank Thee that we have been set apart to serve; especially are we thankful that we have the privilege of carrying on the free traditions of this fine state and nation. May the light of Thy Truth, and the depth of Thy Holy Wisdom guide our paths, that all acts and decisions which we commit might be acceptable to Thee. May our vision be to the growing future, strengthened always by the Gracious Hand which guided our forefathers. Endow us then with Thy Holy Spirit in the name of Christ Jesus. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Harkins of Laconia led the Convention in the Pledge of Allegiance to the Flag.

### **House Leaves of Absence**

Mrs. McDonough of New Castle was granted a leave of absence for the day on account of important business.

Mrs. Ayre of Laconia, Mrs. Grey of Canaan and Mr. Kimball of Manchester were granted leaves of absence for today and tomorrow on account of important business.

### **Committee Reports**

Mr. Plourde of Pembroke for the Committee on Judiciary, HB 8, to make unlawful certain fraudulent dealing with collateral which is subject to a security interest. Ought to pass.

The bill was ordered to a third reading.

Mr. Tuttle of Dover for the Committee on Municipal and County Government, HB 35, relative to the powers and duties



of the town of Hanover and repealing the charter of the village precinct of Hanover. Ought to pass with amendment.

### Amendment to HB 35

Amend paragraph a of section 6 of said bill by striking out the same and inserting in place thereof the following:

a. The power to appoint a superintendent of public works, an overseer of public welfare, a chief of police and one or more chief engineers and assistant engineers to serve in each fire department, and remove same for just cause after being granted a hearing.

Amend paragraph b of section 6 of said bill by striking out the word "two" in the first line and inserting in place thereof the word, three, so that said paragraph as amended shall read as follows:

b. The power by any three or more of their number to sign orders on the town treasurer in payment of the obligations of the town; and

The Clerk read the amendment.

The amendment was adopted and the bill was ordered to a third reading.

Mr. Stafford of Portsmouth for the Committee on Municipal and County Government, HB 11, relative to meetings of highway agents for instruction. Ought to pass.

The bill was ordered to a third reading.

Mr. Claflin of Wolfeboro for the Committee on Transportation, HB 22, relative to motor vehicles parked on street or public parking areas. Inexpedient to legislate.

Mr. Gamache of Manchester moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Claflin of Wolfeboro spoke against the motion.

The motion did not prevail and the resolution of the committee was adopted.

### Senate Message

The Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Concurrent Resolution relative to the Androscoggin River Watershed:

*Whereas*, the Department of Health, Education and Welfare has announced its intention to proceed with enforcement action under the Federal Water Pollution Control Act in the Androscoggin River Watershed, an interstate stream between the states of New Hampshire and Maine, and

*Whereas*, the paper industry in particular has invested heavily for pollution control measures in this watershed under a series of court decrees by the Supreme Judicial Court of Equity for Androscoggin County which has resulted in substantial improvement in stream quality and the industry is continuing to expend money for said purposes as rapidly as financial capacity allows, and

*Whereas*, the Legislatures of the two adjoining states by statute have reserved the right to adopt systems of stream classifications which provide the legal framework for enforcement action as well as the basis for determining the lawful uses for said waters, and

*Whereas*, the respective water pollution control agencies of the two affected states are fully competent, prepared and have a coordinated plan for the conduct of such additional investigations, studies and surveys as are required in order that both State Legislatures may simultaneously adopt appropriate stream classifications for the Androscoggin River Watershed, and

*Whereas*, the states of New Hampshire and Maine, along with the other New England states and the state of New York, are joined in the New England Interstate Water Pollution Control Compact (approved by Congress in 1947), under which all of the states are pledged to abate pollution of interstate waters within the Compact area, and

*Whereas*, the declared policy of the Federal Water Pollution Control Act is to recognize, preserve and protect the pri-

mary responsibilities and rights of state and interstate agencies to prevent and control water pollution,

*Now, Therefore, be it Resolved* by the Senate, the House of Representatives concurring, that the General Court of the state of New Hampshire having due regard for the protection of the present and future economic welfare of the area, is convinced that the objective of an overall comprehensive pollution control program for the Androscoggin River Valley can be best achieved by local, state and interstate authorities free from federal intervention, and

*Be it Further Resolved* that the General Court of the State of New Hampshire strongly urges that the Secretary of Health, Education and Welfare in the operation of the federal program, adhere to the express intent of the Federal Water Pollution Control Act, namely, that the primary responsibility for the establishment of adequate water pollution control programs remain with the duly authorized state and interstate agencies; and further, whenever in his judgment satisfactory progress towards pollution control is not being made, to give notice thereof to the state and interstate agencies involved before undertaking any action whatever under the Federal Water Pollution Control Act, and

*Be it Further Resolved* that the members of the New Hampshire delegation in the Congress of the United States, be requested to assist in every way possible in the State of New Hampshire's effort to retain jurisdiction over the Pollution Control Program for its portion of the Androscoggin River Watershed, and

*Be it Further Resolved* that the Secretary of State be instructed to transmit a copy of this Resolution to the Secretary of Health, Education and Welfare and to each member of the New Hampshire delegation in the Congress of the United States.

The concurrent resolution was referred to the committee on Resources, Recreation and Development.

Mr. Casassa of Hampton moved that the rules of the House be so far suspended as to dispense with reference to committee and that the concurrent resolution be adopted.

Mr. Casassa of Hampton spoke in favor of the motion.

The motion prevailed.

### Introduction of a Bill

HB 90, An Act relative to the study of New Hampshire taxes, was introduced, read a first and second time, laid on the table for printing and referred to the committee on Appropriations.

### Change in Committee Assignments

(Clerks marked with an \*)

#### Agriculture

Room 306, State House

Adams of Madbury, Ch.	Underwood of Chester
Ballam of Walpole, V. Ch.	McKay of Dunbarton
Stearns of Hinsdale	Watts of Deerfield
Spollett of Hampstead*	Nash of Dixville
Purington of Exeter	Legallee of Litchfield
Hayward of Milford	Brooks of Stewartstown
Adams of Lebanon	Farwell of Brookline
Persson of Candia	Barrows of Claremont
Bragdon of Amherst	Dempsey of Franklin
Garland of Pelham	Abare of Troy
Cummings of Danville	Martel of Manchester, Ward 7

#### Appropriations

Room 318, State House

Clement of Rochester, Ch.	Prescott of Laconia
Goode of Manchester, Ward 2,	Keough of Gorham
V. Ch.	Blake of Madison
Taylor of Whitefield	Fellows of Dover
Bell of Plymouth	Sheridan of Berlin
Weeks of Greenland	Bailey of Newport*
Roberts of Conway	Bruton of Manchester, Ward 3
Shepard of Londonderry	Hartigan of Rochester
Gove of Concord	Belcourt of Nashua
Eaton of Hillsborough	Dumont of Berlin
Ring of Hampton	Pappagianis of Nashua

**Banks****Community Room, N. H. Savings Bank**

Bigelow of Warner, Ch.	Peaslee of Concord
Stevens of Epsom, V. Ch.	Peterson of Peterborough
Bennett of Keene	Hald of Keene
Hambleton of Goffstown	Allen of Rindge
Leighton of Dover	Walsh of Manchester, Ward 5*
Asby of Canterbury	Delisle of Manchester, Ward 8
Scott of Derry	Maynard of Nashua
Vey of Brentwood	Manning of Manchester, Ward 5
Reddy of Hopkinton	Trombly of Nashua
Canney of Farmington	Pratt of Keene
	Sadler of Portsmouth

**Claims and Aeronautics****Room 207A, Annex**

Henry of Concord, Ch.	Nalette of Manchester, Ward 12
Potter of Northumberland, V. Ch.	Marcoux of Nashua
Newell of Concord	Chartrain of Nashua
Warren of Lyndeborough	Levasseur of Manchester, Ward 12
Hood of Plainfield	Noel of Manchester, Ward 11
Cole of Nashua	Gauthier of Manchester, Ward 13
Smith of Walpole	Thibault of Nashua
Karnis of New Ipswich	Cavalieri of Portsmouth
Beard of Lebanon	Coutermarsh of Lebanon
Boutin of Benton	Dionne of Nashua, Ward 6
	Desmarais of Jaffrey

**Education****Room 100, State House**

Brown of Sandwich, Ch.	Uhlenberg of Gilmanton
Low of Hanover, V. Ch.	Park of Lyme
O'Neil of Chesterfield	McDonough of New Castle
Faulkner of Keene	Taylor of Eppingham
Berry of Barrington	Watkinson of Fitzwilliam
Whipple of Lebanon	Ferguson of Milford
Greene of Rye	Guest of Cornish
Matheson of Center Harbor	Demers of Lebanon*
Martin of Littleton	Russell of Keene
Van Loan of Bedford	McEachern of Portsmouth
Chamberlin of Bath	Bolduc of Belmont

**Elections****Room 305, State House**

Johnson of Hanover, Ch.	McMeekin of Haverhill
Peterson of Peterborough, V. Ch.	Healy of Manchester, Ward 6*
	Sheridan of Berlin

**Engrossed Bills****Secretary of State's Office**

Potter of Northumberland, Ch.	Smith of Concord
Eastman of Weare, V. Ch.	Marx of Langdon
	York of Concord

**Executive Departments and Administration****Room 119, State House**

McMeekin of Haverhill, Ch.	Marx of Langdon
Stafford of Laconia, V. Ch.	Sherman of Lancaster
White of Portsmouth, Ward 4	Cobleigh of Nashua
Allan of Meredith	Cote of Manchester, Ward 8
Clark of Lee	Eastman of Weare*
Carter of North Hampton	Morse of Enfield
Smith of Plymouth	Gagnon of Berlin
Lamprey of Tuftonboro	Grimes of Dover
Lewis of Lebanon, Ward 3	York of Concord
Smith of Concord	Dupont of Manchester, Ward 6
Langford of Raymond	Claveau of Hudson

**Fish and Game****State Library**

London of New London, Ch.	Anderson of Warren
Drew of Farmington, V. Ch.	Nettleton of Groton
Cheney of Newton	Forbes of Marlow
Welch of Concord	Merrill of Hampton Falls
Merrifield of Sunapee	Connolly of Berlin
Brown of Loudon	Guilbeault of Allenstown
Kelley of Littleton	Bushey of Northumberland
Felch of Seabrook	LaFrance of Manchester, Ward 7
Thayer of Jefferson	Keating of Keene
Rolle of Rochester	Vashaw of Berlin*
	Gilman of Franklin

**Insurance****Room 208W, Annex**

Wheeler of Exeter, Ch.	Latour of Nashua
Davis of Greenfield, V. Ch.	Shea of Keene
Varney of Rochester	Nelson of Dover
Lacaillade of Laconia	Dumont of Rochester
Adams of Charlestown	Hebert of Somersworth
Johnson of Rochester	Dumais of Nashua
Heald of Wilton	Desmarais of Nashua
Fairbanks of Boscawen	Leclerc of Manchester
Stickney of Salem	Tremblay of Manchester, Ward
Gowing of Dublin	
Allard of Manchester, Ward 13	Bowles of Easton

**Interstate Cooperation**

## Secretary of State's Office

The Speaker, Ch.	Upton of Concord
Ainley of Manchester, V. Ch.	Pappagianis of Nashua
	Normandin of Laconia

**Journal**

## Clerk's Office

Upton of Concord, Ch.	Taft of Greenville
The Speaker, V. Ch.	Moran of Manchester*
	Downing of Newport

**Judiciary**

## Room 304, State House

Totman of Alstead, Ch.	Chandler of Portsmouth
Frizzell of Charlestown, V. Ch.	Grey of Canaan
Cooper of Nashua	Willey of Westmoreland
Peever of Salem	Pickett of Keene
Griffin of Auburn	Healy of Manchester, Ward 6
Eastman of Exeter	Desnoyer of Claremont
Ainley of Manchester, Ward 1	Plourde of Pembroke
Bingham of Concord	Normandin of Laconia*
Upton of Concord	Spanos of Newport
Johnson of Hanover	Moran of Manchester, Ward 8
Pryor of Ashland	Capistran of Manchester, Ward 12

**Labor**

## Room 100, State House

Angus of Claremont, Ch.	Gallagher of Hudson
Stevenson of Bethlehem, V. Ch.	Roy of Berlin
Haseltine of Merrimack	Habel of Somersworth
Ferguson of Concord	Laflamme of Concord
Berringer of Woodstock	Belanger of Manchester, Ward 10
Sanders of Concord	Dion of Manchester, Ward 3*
White of Derry	Mahoney of Manchester, Ward 4
Wylie of Fremont	Wade of Manchester, Ward 8
Bean of Waterville	Champagne of Manchester, Ward 8
Grant of Salem	St. Pierre of Rochester
Verrill of Laconia	Maloomian of Somersworth

**Liquor Laws****State Library**

Collishaw of Exeter, Ch.	Hayes of Manchester, Ward 3
Nahil of Claremont, V. Ch.	O'Connor of Manchester, Ward 6
Murch of Portsmouth	Vachon of Manchester, Ward 14
Marsan of Rochester*	Rousseau of Manchester, Ward 13
Osborne of Portsmouth	Charland of Franklin
Blanchard of Jackson	Clancy of Manchester, Ward 6
Feldman of Manchester, Ward 1	Chapdelaine of Manchester, Ward 13
Canty of Salem	
Kelley of Franklin	Desilets of Berlin
Bergeron of Manchester, Ward 10	Provencal of Hudson
Bouchard of Berlin	Lavallee of Nashua
Grady of Manchester, Ward 14	

**Mileage****Sergeant-at-Arms' Room**

McAllister of Barnstead, Ch.	McKay of Dunbarton
Kearns of Manchester, V. Ch.	Roberts of Conway*
Maloomian of Somersworth	

**Military and Veterans' Affairs****Room 208W, Annex**

Gay of Derry, Ch.	O'Shan of Laconia
Watkinson of Fitzwilliam, V. Ch.	Cann of Claremont
Sawyer of Winchester	Bouley of Nashua
Campbell of Claremont	Boisvert of Nashua
Hackett of Epping	Cournoyer of Jaffrey*
Pollock of Keene	Coussoule of Portsmouth
Whitney of Deering	Dubois of Nashua
Hutchinson of Chichester	Kendrigan of Manchester, Ward 11
Guest of Cornish	Doherty of Manchester, Ward 6
Joslyn of Sanbornton	Littlefield of Somersworth

**Municipal and County Government****Room 207, Annex**

Hill of Conway, Ch.	Stafford of Portsmouth
Frink of Portsmouth, V. Ch.	Schwaner of Plaistow
Hackler of Swanzey	Hayward of Milford
Pickering of Hancock	Crouch of Durham
Barker of Stratham	Gaffney of Claremont
Littlehale of Durham	Bednar of Hudson
Hanson of Bow	Palmer of Kensington
White of Atkinson	Lafond of Hooksett
Morrill of Salem	Brummer of Lisbon
Tuttle of Dover*	Robinson of Pembroke
Todd of New Boston	Lambert of Hooksett



**Public Health****Wildlife Room**

Green of Rollinsford, Ch.	Bennett of Richmond
Mahony of Manchester, Ward 2,	Chamberlain of Wolfeboro
V. Ch.	Howard of Bartlett
Clark of Kingston	Shute of Lancaster
Hayner of Laconia	Dionne of Nashua, Ward 2
Andersen of Concord	O'York of Dover
Arsenault of Randolph*	Mason of Nashua
Pinkham of Northwood	Rubins of Rochester
McCarthy of Laconia	Maglaras of Dover
Fogg of Milan	Dubey of Berlin
	Belletete of Keene

**Public Welfare and State Institutions****Room 207A, Annex**

Ayre of Laconia, Ch.	Dame of Concord
Maxham of Concord, V. Ch.	Dawson of Milton
Wylie of Fremont	Legasse of Portsmouth
Bouvier of Swanzey	Tessier of Manchester, Ward 7
Hayward of Hanover	Bernier of Manchester
Richardson of Dover	Blanchette of Dover
Morrison of Salem	Vincent of Somersworth
O'Shan of Laconia	Peabody of Pelham
MacDonald of Concord*	Bissonnette of Nashua
Shea of Keene	Gamache of Manchester, Ward 14
Thompson of Wilmot	Beaudoin of Rochester

**Public Works****Room 308, Annex**

Taft of Greenville, Ch.	Moore of Bradford
Plumer of Bristol, V. Ch.	Remick of Tamworth
Willey of Campton	Allard of Littleton
Wiggin of Bedford	Young of Rye
Fox of Wakefield	Shindledecker of Hampton
Turner of Gilsum	Dame of Portsmouth
Marsh of Colebrook	Fortier of Berlin
Davis of Conway	D'Amante of Claremont
Edwards of Antrim	Downing of Newport*
Nickerson of East Kingston	McGee of Lincoln
	Keefe of Portsmouth

**Resources, Recreation and Development****Room 207, Annex**

Casassa of Hampton, Ch.	Goodfellow of Dorchester
Smith of Dover, V. Ch.	Hampson of Hebron*
Rice of Peterborough	Herbert of Windham
Barney of Rumney	Martin of Goffstown
Urie of New Hampton	Stinson of Stratford
Oliver of Marlborough	Harkins of Laconia
Kimball of Derry	Sewall of Newmarket
Tarrant of Pittsfield	Roy of Berlin
Perkins of Alton	Fontaine of Berlin
Goodhue of Gilford	Phelps of Andover
Weber of Croydon	Conover of Manchester, Ward 2

Bartlett of Goffstown

**Rules****Speaker's Office**

The Speaker, Ch.	Shepard of Londonderry
Peterson of Peterborough, V. Ch.	Pappagianis of Nashua
Weeks of Greenland	Kearns of Manchester
Goode of Manchester	Desnoyer of Claremont

**Transportation****Room 308, Annex**

Clafin of Wolfeboro, Ch.	Rufo of Concord
Soucy of Manchester, Ward 1,	Hughes of Brookfield
V. Ch.	Buker of Merrimack
Carpenter of Henniker	Carter of Milford
Kimball of Manchester, Ward 2	Chase of Rochester
Moulton of New Durham	McGee of Lincoln
Graham of Gorham	Sullivan of Nashua
Cushman of Orford	Coutermarsh of Lebanon*
Bennett of Strafford	Barnard of Goffstown
Shute of Lancaster	McDermott of Manchester, Ward 4

Clancy of Manchester, Ward 5

**Ways and Means****Room 306, State House**

Larty of Haverhill, Ch.	Lang of Manchester, Ward 1
Diffenderfer of Ossipee, V. Ch.	Underhill of Nashua
McAllister of Barnstead	Palmer of Plaistow*
Geisel of Manchester, Ward 2	Pettigrew of Manchester, Ward 1
Bevan of Durham	Kearns of Manchester, Ward 10
Colbath of Dover	Cullity of Manchester, Ward 4
Hancock of Concord	Casey of Manchester, Ward 6
Howe of Tilton	Hurley of Manchester, Ward 11
Thompson of Northfield	Sabluski of Nashua
Brocklebank of Hollis	Twardus of Newmarket

Cormier of Somersworth

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 P.M. to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 8, to make unlawful certain fraudulent dealing with collateral which is subject to a security interest.

HB 35, relative to the powers and duties of the town of Hanover and repealing the charter of the Village Precinct of Hanover.

HB 11, relative to meetings of highway agents for instruction.

On motion of Mrs. Weeks of Greenland the House adjourned at 11:36 A.M.

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THURSDAY, JANUARY 24, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O Shepherd of Israel, who dost neither slumber nor sleep, we are the people of Thy pasture and the sheep of Thy hand. Make us to love Thy voice and answer to the name by which Thou callest us; so shall none be able to pluck us out of Thy hand. Beside the still waters, through pastures green, and in the valley where deep shadows lie, be Thou our strength and shield; and do Thou shepherd us beyond the plains of peril to the eternal fold where we may lie down in peace and take our rest, for it is Thou only that makest us dwell in safety. Grant

this for the sake of Him who is the Lamb of God, Jesus Christ our Lord. A-men.

### **Pledge of Allegiance to the Flag**

Mr. Moore of Bradford led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leave of Absence**

Mr. Urie of New Hampton was granted leave of absence for the day on account of illness.

#### **Introduction of Bills**

HB 91, An act relative to copies of the school laws. (Wheeler of Exeter) To Education.

HB 92, An act relating to legal holidays. (Wheeler of Exeter) To Judiciary.

HB 93, An act to increase the powers of Queen of Peace College. (Cournoyer of Jaffrey) To Judiciary.

HB 94, An act authorizing prepayment of taxes. (Greene of Rye) To Ways and Means.

HB 95, An act providing an open season for fisher in Carroll County (Fox of Wakefield) To Fish and Game.

HB 96, An act authorizing pari-mutuel pools on jai alai. (Feldman of Manchester, Ward 1) To Ways and Means.

HB 97, An act relative to armed robbery. (Geisel of Manchester, Ward 2) To Judiciary.

HB 98, An act relative to hunting and fishing licenses for aliens married to residents. (Bushey of Northumberland) To Fish and Game.

HB 99, An act relating to the practice of chiropractic. (Coutermarsh and Beard of Lebanon) To Public Health.

HB 100, An act providing for the assessment and collection of a special head tax for state purposes. (Cobleigh of Nashua, Ward 1) To Ways and Means.

HB 101, An act relating to municipal permits for registration. (Carter of North Hampton) To Municipal and County Government.

HB 102, An act imposing tax on television signal distribution systems. (Stearns of Hinsdale and Ballam of Walpole) To Ways and Means.

HB 103, An act relative to service fees from initial plates. (Newell of Concord) To Transportation.

HB 104, An act relative to advisory commission and transfer of powers under the department of health and welfare. (Newell of Concord) To Executive Departments and Administration.

HJR 3, providing an appropriation toward reconstruction of Fort at Number Four. (Frizzell and Adams of Charlestown and Desnoyer of Claremont) To Appropriations.

HJR 4, in favor of Lucille M. Webb. (Casassa of Hampton) To Claims and Aeronautics.

Mr. Casassa of Hampton moved that the rules of the House be so far suspended as to dispense with the printing of HJR 4.

The Clerk read the Resolution as follows:

HJR 4, Joint Resolution in favor of Lucille M. Webb, That the sum of fifteen hundred dollars is hereby appropriated to reimburse Lucille M. Webb for hospital and medical expenses and other losses due to injury at Hampton Beach on April 19, 1961. The payment of this sum is in full and final settlement of any and all claims arising out of said injury. The appropriation hereunder shall be a charge on the recreation fund.

The motion to dispense with printing was adopted.

### Committee Reports

Mr. Henry of Concord for the Committee on Claims and Aeronautics, HB 41, to make appropriation to employ an airport engineer. Ought to pass.

The Chair referred the bill to the Committee on Appropriations.

Mrs. Demers of Lebanon for the Committee on Education, HB 39, relative to the capital reserve fund established by the Lincoln school district. Ought to pass.

The bill was ordered to a third reading.

Mr. McMeekin of Haverhill moved that the committees on Executive Departments and Administration and Transportation hold a joint hearing on HB 28, relative to motor vehicle driver training and operator's license fees.

The motion was adopted.

### Qualified

Mr. Carpenter of Henniker, having appeared before Acting Governor, Philip S. Dunlap, was duly qualified as a member of the House of Representatives.

### Resolutions

Mr. Maglaras of Dover for the Dover Delegation and Mr. Clement of Rochester for the Strafford County Delegation offered the following resolutions:

*Whereas*, Patrick N. H. O'York, who was serving his second term as Representative from Dover, has passed away, and

*Whereas*, he had served as Selectman, Moderator, Delegate to the Constitutional Convention, also a former Deputy Sheriff of Limerick, Maine, therefore be it

*Resolved*, that we pay tribute to his services to his city and state, his great interest in his work and his friendliness to all, and be it further

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby extend our heartfelt sympathy to his family in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his daughter, Mrs. Elizabeth M. Sprague, for the family.

On a rising vote of silent prayer the Resolutions were unanimously adopted.

The Chair announced that today was the 71st birthday of Mr. Bell of Plymouth.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

### Afternoon Session

#### Third Reading

HB 39, relative to the capital reserve fund established by the Lincoln school district, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Miss Spollett of Hampstead the House adjourned at 11:23 A.M.

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TUESDAY, JANUARY 29, 1963

The House met at 11:00 A.M.

#### Joint Convention

Prayer was offered by Guest Chaplain, Mrs. Evelyn M. Duke, from the Dunbarton Congregational Church, as follows:

O Eternal and ever loving God,

Give us faith this day in Thee. Help Thou our unbelief. We say "In God we Trust". Help us as a state and as a nation to live and to act in that belief.

Forgive our wanderings of mind and of spirit: our lackadaisical approach to the vital spiritual problems that confront this great commonwealth.

Help those who serve our government to remember their primary allegiance is to Thee.

Lord God of Hosts, be with us yet. Lest we forget. Lest we forget.

This we ask in Jesus Name, Amen.

### **Pledge of Allegiance to the Flag**

Mr. McKay of Dunbarton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Messrs. Bragdon of Amherst and Littlehale of Durham were granted leave of absence for the day on account of illness.

Messrs. Lambert of Hooksett, Langford of Raymond, Phelps of Andover and Pinkham of Northwood were granted leave of absence for the day on account of important business.

#### **Introduction of Bills**

The following House Bills and House Joint Resolutions were introduced, read a first and second time, laid on the table for printing and referred as follows:

HB 105, An act relative to election printing by the secretary of state. (Peterson of Peterborough) To Executive Depts. and Administration.

HB 106, An act relative to the relocation of a portion of the central New Hampshire turnpike. (Lavallee of Nashua, Ward 8) To Public Works.

HB 107, An act providing for the election of county commissioners for the county districts of Rockingham county. (Cavalieri and Sadler of Portsmouth) To the Rockingham Delegation.

HB 108, An act relative to the promotion for certain employees in the city of Manchester (Gauthier of Manchester, Ward 13) To the Manchester Delegation.

HB 109, An act relative to limitation of recovery of damages for wrongful death. (Johnson of Hanover) To Judiciary.

HB 110, An act relative to questions submitted to voters of the town of Meredith. (Allan of Meredith) To Municipal and County Government.



HB 111, An act relating to the printing of proceedings of the county convention of Belknap County (Allan of Meredith) To the Belknap County Delegation.

HB 112, An act relating to the advertising of beverages. (Mahony of Manchester, Ward 2) To Liquor Laws.

HB 113, An act relating to the location of the technical school. (Kearns and Mahony of Manchester and Dionne of Nashua) To Education.

HB 114, An act relative to per diem compensation for members of the milk control board. (Ferguson of Concord) To Agriculture.

HB 115, An act relative to use of motor boats on Rock pond. (Herbert of Windham) To Resources, Recreation and Development.

HB 116, An act relative to the taxation of horses. (Ferguson of Concord) To Ways and Means.

HB 117, An act relative to method of adopting zoning ordinances. (Grey of Canaan) To Municipal and County Government.

HB 118, An act relative to clerical assistants for the division of interest and dividends of the state tax commission. (Papagianis of Nashua) To Appropriation.

HB 119, An act authorizing the division of interest and dividends to require corporations to furnish information as to amounts of dividends paid to New Hampshire residents. (Peterson of Peterborough) To Ways and Means.

HB 120, An act relative to the enforcement of laws concerning cruelty to animals. (Murch of Portsmouth) To Agriculture.

HB 121, An act relative to the construction of physical education facilities at the University of New Hampshire. (O'Neil of Chesterfield) To Education.

HB 122, An act relating to redemption of specific devises. (Upton of Concord) To Judiciary.

HB 123, An act relating to trailers. (Osborn of Portsmouth) To Ways and Means.

HB 124, An act providing a penalty for falsely reporting a bomb scare. (Upton of Concord) To Judiciary.

HB 125, An act relative to purchase exceptions. (Stevens of Epsom) To Executive Departments and Administration.

HB 126, An act relating to liens of attorneys. (Keough of Gorham) To Judiciary.

HJR 5, Joint Resolution providing funds for payment of the expenses of binding and distributing the journal of the 1959 session of the constitutional convention. (Ferguson of Concord) To Claims.

HJR 6, Joint Resolution relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham. (O'Neil of Chesterfield) To Education.

HJR 7, Joint Resolution relating to the estate of Patrick N. H. O'York. (Grimes of Dover) To Claims.

\* \* \*

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to dispense with the printing and reference to committee on House Joint Resolution No. 7 and that the Resolution be passed at the present time.

The motion was adopted.

The Clerk read the Resolution in full.

HJR 7, relating to the estate of Patrick N. H. O'York. *Resolved*, that the state treasurer be and hereby is instructed to pay to the estate of Patrick N. H. O'York the salary due said decedent as a member of the House of Representatives.

HJR 7 was read a third time, passed and sent to the Senate for concurrence.

### Committee Reports

Mr. Wildey of Westmoreland for the Committee on Judiciary, HB 7, authorizing the attorney general to act as attorney for department of safety employees. Inexpedient to legislate.

The resolution of the committee was adopted.

Mrs. Frizzell of Charlestown for the Committee on Judiciary, HB 23, relative to Concord Female Charitable Society. Ought to pass.

The bill was ordered to a third reading.

Mrs. Cooper of Nashua for the Committee on Judiciary, HB 45, requiring surety bonds for municipal court clerks. Ought to pass.

The bill was ordered to a third reading.

Mr. Moore of Bradford for the Committee on Public Works, HB 26, correcting references in statute providing for highway bond issue. Ought to pass.

The bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Public Works, HB 6, relative to the classification of a highway in Newton. Ought to pass.

The bill was ordered to a third reading.

Mr. McGee of Lincoln for the Committee on Public Works, HB 18, relative to outdoor advertising. Ought to pass.

At the request of Mr. Kearns of Manchester, Mr. Plumer of Bristol explained the bill.

(discussion ensued)

Mr. McGee of Lincoln spoke in favor of the bill.

(discussion ensued)

Mr. Kearns of Manchester moved that further consideration of HB 18 be indefinitely postponed.

Mr. Newell of Concord spoke against the motion.

Mrs. Martin of Littleton spoke in favor of the motion.

Mr. McGee of Lincoln spoke against the motion.

The motion to indefinitely postpone did not prevail and the bill was ordered to a third reading.

Mr. Taft of Greenville for the Committee on Public Works, HB 16, relative to resurfacing of the Eastern and Central turnpikes. Ought to pass with amendment.

**Amendment to HB 16**

Amend the title of said bill by striking out the words "and Central turnpikes" and inserting in place thereof the word, turnpike, so that said title as amended shall read as follows:

relative to resurfacing of the Eastern turnpike.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Eastern New Hampshire Turnpike. The sum of one hundred and ten thousand dollars is hereby appropriated to provide for the resurfacing of the Eastern New Hampshire Turnpike from the Portsmouth Traffic Circle to the Silver Street interchange. This appropriation shall be a charge upon the Eastern New Hampshire Turnpike Sinking Fund and the governor is authorized to draw his warrant for this appropriation.

2 Limitation. The sum hereby appropriated shall lapse on June 30, 1964.

3 Takes Effect. This act shall take effect upon its passage.

The amendment was adopted and the bill was referred to the Committee on Appropriations.

Mr. Taft of Greenville for the Committee on Public Works, HB 4, relative to the disposal of papers and records for department of public works and highways. Ought to pass.

The bill was ordered to a third reading.

**Resignation**

Manchester, N. H.  
January 25, 1963

Honorable Stewart Lamprey  
Speaker of the House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Lamprey:

Having accepted a position from the Federal Housing Authority which forbids my participation in politics will make

it impossible for me to serve as a member of the House of Representatives during the 1963 Session of the General Court.

I, therefore, regretfully tender my resignation as a member of the House of Representatives representing Ward 13 of Manchester. I ask that my resignation be accepted so that the voters of Ward 13 may have the opportunity of having full representation in the General Court.

Very truly yours,  
Rolland Chapdelaine,  
Manchester, Ward 13

The resignation was referred to the Elections committee.

Mr. Dupont of Manchester moved that the rules of the House be so far suspended as to dispense with reference to committee and that the resignation be accepted at the present time.

The motion was adopted and the resignation accepted.

### Concurrent Resolutions

Mrs. Ainley of Manchester introduced the following concurrent resolution:

Memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to Article V thereof.

*Resolved* by the House of Representatives, the Senate concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

### “ARTICLE . .

“Section 1. Article V of the Constitution of the United States is hereby amended to read as follows:

The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the Legislatures of two-thirds of the several states, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several states. Whenever applica-

tions from the Legislatures of two-thirds of the total number of states of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.

“Section 2. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several states within seven years from the date of its submission.”

*Be It Further Resolved* that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

*Be It Further Resolved* that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

The concurrent resolution was referred to the Judiciary committee.

\* \* \*

Mrs. Ainley of Manchester introduced the following concurrent resolution:

Memorializing Congress to call a convention for the purpose of  
proposing an amendment to the Constitution  
of the United States.

*Resolved* by the House of Representatives, the Senate concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

#### “ARTICLE . .

“Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any state in the apportionment of representation in its legislature.

"Section 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a state legislature.

"Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission."

*Be It Further Resolved* that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

*Be It Further Resolved* that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

The concurrent resolution was referred to the Judiciary committee.

### Parliamentary Inquiry

Mr. Pappagianis of Nashua requested a parliamentary interpretation by the Chair of House rule No. 23.

23. The Speaker shall put the previous question in the following form: "Shall the main question now be put?" and all debate upon the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken upon pending amendments, in their regular order, and then upon the main question. The motion for the previous question shall not be put unless demanded by three members.

The Clerk read the rule and the Chair explained the rule as follows:

The rule is very clear that if a simple motion for the previous question is made by a member and sufficiently seconded, "Shall the main question now be put", this motion shuts off full debate and shuts off amendments by the House. This is a very serious motion. If it is the purpose of a member to close debate on an amendment and to vote on this amendment the

member should rise and move that he wishes to "move the previous question on the amendment". If the motion is made regarding the amendment, then the vote will be taken on the amendment only, and further amendments may be offered from the floor. A member may then make a separate second motion on the main question. If this motion carries the main question will then be put.

### Introduction of a Guest

The Chair introduced Dr. William L. Frederick, Regional Director of the Council of State Governments who addressed the House briefly.

### Communication

The Clerk read the following communication from Congressman James C. Cleveland:

Jan. 28, 1963  
Washington, D. C.

Hon. Stewart Lamprey  
Speaker  
New Hampshire House of Representatives  
Concord, New Hampshire

Strongly support Androscoggin River concurrent resolution concerning primary responsibility water pollution control remaining state and interstate agencies.

Protesting Secretary Celebrezze accordingly.

James C. Cleveland  
United States Congressman

### Resolutions

Mr. Drew of Farmington offered the following resolutions:

*Whereas*, Idanelle Moulton, Representative from New Durham, has been ill for quite some time, therefore be it

*Resolved*, that we, the Members of the House of Representatives, hereby express our sympathy to our Fellow Member in her illness and hope that she will soon be able to attend our sessions, and be it further



*Resolved*, that a copy of these Resolutions be sent to her.  
The resolutions were adopted.

\* \* \*

Mr. Maxham of Concord offered the following resolutions:

*Whereas*, Lewis H. Carpenter, Representative from Hen-  
niker, has been ill for quite some time, therefore be it

*Resolved*, that we, the Members of the House of Repre-  
sentatives, hereby express our sympathy to our Fellow Member  
in his illness and hope that he will soon be able to attend our  
sessions, and be it further

*Resolved*, that a copy of these Resolutions be sent to him.

The resolutions were adopted.

### Journal Correction

Pursuant to a report of the Journal committee the Chair called the attention of the House to a printer's error on page 5 of the Journal for Wednesday, January 23rd. The words "The motion prevailed", relating to the adoption of a concurrent resolution relative to the Androscoggin river, were omitted. The Chair asked unanimous consent of the House to correct this error in the permanent journal. Such permission was granted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 23, relative to Concord Female Charitable Society.

HB 45, requiring surety bonds for municipal court clerks.

HB 26, correcting references in statute providing for high-way bond issue.

HB 6, relative to the classification of a highway in Newton.

HB 18, relative to outdoor advertising.

HB 4, relative to the disposal of papers and records for department of public works and highways.

### Reconsideration

Mr. McGee of Lincoln, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 18 and spoke against the motion.

The motion did not prevail.

\* \* \*

Mr. Wheeler of Exeter moved that the House adjourn in memory of Robert Frost.

On a rising vote the motion was unanimously adopted and the House adjourned at 12:14 P.M.

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WEDNESDAY, JANUARY 30, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, who in Thine Infinite Love hast granted us the opportunity of this day — forgive us of our human frailties — direct us in the pathways of humble service as we join in the promotion of the common good for our beloved "Granite State". Preserve and protect our sacred institution of freedom — defend our nation from all adversity, both from within and from without. Send Thy blessings upon our Governor, his Council, and the members of this Joint Convention in their every endeavor for Thee. Develop an increasing awareness of our social and moral responsibility as we turn to Thee for our continuing strength. Be Thou our guardian and our guide in these times of decision — and may Thy Spirit deliver us from all evil as we join our hearts in praise to Thee, O Lord God, most high — Amen.

### **Pledge of Allegiance to the Flag**

Mr. Brown of Loudon led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mr. Phelps of Andover was granted leave of absence for the day on account of important business.

Messrs. Brighton of Amherst and Littlehale of Durham were granted leaves of absence for today and Thursday on account of illness.

Mrs. Clark of Lee and Messrs. McEachern of Portsmouth and Langford of Raymond were granted leaves of absence for today and Thursday on account of important business.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time and referred as follows:

HB 127, relative to bonds for new office building. (Plumer of Bristol) To Appropriations.

HB 128, increasing the authority of The New Hampshire Congregational-Christian Conference to hold property. (Maxham of Concord) To Executive Departments and Administration.

HB 129, relative to the sale of liquor and beverages in first class hotels. (Bean of Waterville) To Liquor Laws.

#### **Committee Reports**

The remonstrance of Raimond Bowles contesting the election in Portsmouth, Ward 2. Johnson of Hanover for the Committee on Elections. *Resolved*, That the remonstrance be denied.

Mr. Johnson of Hanover spoke in favor of the resolution.

The resolution was adopted.

HB 5, relative to physicians and surgeons, fees for examinations for practice. Mrs. Arsenault of Randolph for the Committee on Public Health. Ought to pass with amendment.

**HB 5 — Amendment**

Amend section 2 by striking out the word “fifteen” in the fourth and ninth lines and inserting in place thereof the word, thirty, so that said section as amended shall read as follows:

2 Additional Fee. Amend RSA 329:13 by striking out the words “without additional fee” and inserting in place thereof the words, upon payment of an additional fee of thirty dollars, so that said section as amended shall read as follows:

329:13 Second Examination. Applicants who fail to pass at their first examination may take one subsequent examination upon payment of an additional fee of thirty dollars.

Further amend said bill by striking out section 1 and re-numbering sections 2 and 3 to read 1 and 2.

The Clerk read the amendment.

The amendment was adopted.

Mr. York of Concord was recognized for an inquiry.

Mr. Green of Rollinsford explained the amendment.

Mr. York of Concord moved that HB 5 be indefinitely postponed and spoke in favor of the motion.

Mrs. Schwaner of Plaistow spoke in favor of the motion.

Mr. Green of Rollinsford and Mr. Maxham of Concord spoke against the motion.

(discussion ensued)

The motion was not adopted.

HB 5 was ordered to a third reading.

HB 24, repealing certain inconsistent provisions relative to toilet facilities in establishments where food is served. Mrs. Arsenault of Randolph for the Committee on Public Health. Ought to pass with amendment.

**HB 24 — Amendment**

Amend said bill by striking out the title and inserting in place thereof the following: An act relative to toilet facilities for restaurants and other establishments where food is served.

Further amend said bill by striking out section 1 and inserting in place thereof the following:

1 Toilet Facilities. Amend RSA 155:40 by striking out said section and inserting in place thereof the following: 155:40 Toilet Facilities To Be Provided for Restaurants, etc. All places where the business of serving food to the public is conducted shall be equipped with toilet and lavatory facilities convenient of access for the use of patrons. Separate toilet rooms for each sex shall be provided for patrons of any restaurant designed to seat twenty-five or more patrons at one time or for patrons of any food establishment where alcoholic beverages are served. The provisions hereof shall not apply to mobile lunch carts or be construed to require roadside stands or so-called drive-ins, serving food to the public to provide toilet facilities for patrons where seating facilities within the building are not available.

The amendment was adopted and the bill was ordered to a third reading.

Concurrent Resolution, relative to a special committee to study the needs of departments and agencies of state and the general court in regard to space. Mr. Taft of Greenville for the Committee on Public Works. Resolution be adopted.

### Concurrent Resolution

*Resolved* by the House of Representatives the Senate concurring:

The Speaker of the House of Representatives shall appoint five members of the House and the President of the Senate shall appoint three members of the Senate to constitute a special committee for the purpose of studying the needs of the departments and agencies of the state and of the general court so far as space is concerned for their proper operation. The committee shall project its study for a fifteen-year period of possible expansion of state services and the resulting need for office space. Said committee shall report to the 1963 session of the general court.

The resolution was adopted.

### Senate Message

The Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

### Concurrent Resolution

relative to joint public hearings.

*Resolved* by the Senate, the House of Representatives concurring: That in order to facilitate public hearings on certain bills the President of the Senate, on the recommendation of the chairman of the Senate Committee having a Senate bill before it, unless otherwise voted by a majority of said committee, may request the Speaker of the House to authorize and direct the appropriate House committee or committees, with the approval of the chairman of said committee or committees, unless otherwise voted by a majority of said committee or committees, to hold a joint public hearing with the Senate committee; and the Speaker of the House, upon the recommendation of the chairman of the House committee having a House bill before it, unless otherwise voted by a majority of said committee, may request the President of the Senate to authorize and direct the appropriate Senate committee or committees, with the approval of the chairman of said committee or committees, unless otherwise voted by a majority of said committee or committees, to hold a joint public hearing with the House committee. In case of joint hearings under this resolution no further public hearing on such a bill shall be required when such bill is subsequently received in the branch of the General Court other than the branch where originally introduced. The chairman of the committee of the branch of the General Court where any such bill was originally introduced shall be chairman and the chairman of the committee of the other branch of the General Court shall be vice-chairman of the joint hearing.

The concurrent resolution was referred to the Rules committee.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

HJR 7, relating to the estate of Patrick N. H. O'York.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 5, relative to physicians and surgeons, fees for examinations for practice.

HB 24, relative to toilet facilities for restaurants and other establishments where food is served.

On motion of Mrs. McDonough of New Castle the House adjourned at 11:51 A.M.

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THURSDAY, JANUARY 31, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

A SPIRIT OF THE LIVING GOD, breathe upon us with Thy quickening power — that we may feel a renewed sense of privilege as we enter upon the duties of another day. Make us conscious of our ability to meet its great demands because of Thine indwelling in hearts now humbly waiting to enshrine the Infinite God.

Help us to realize, as never before, the high demands of public service amid the tragedies of life that have befallen mankind. May we abhor all lesser standards of the right, and, with a robust courage, with poise and self-possession, may we choose the higher ways of life, where mercy and truth, righteousness, and peace shall one day meet and dwell together to the establishment of God's glory among men. This we ask in the name of the Father, and of the Son, and of the Holy Spirit. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Kimball of Derry led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

The Chair announced that today is the eleventh wedding anniversary of Chaplain and Mrs. Shafer.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of students from Pinkerton Academy as guests of the Derry Delegation.

#### **Leaves of Absence**

Mr. O'Neil of Chesterfield was granted a leave of absence for the day on account of illness.

Mrs. Grey of Canaan was granted a leave of absence for the day on account of important business.

Mr. Diffenderfer of Ossipee was granted an indefinite leave of absence on account of illness.

Mr. Urie of New Hampton was granted a leave of absence for the day on account of a death in the family.

Mrs. Hampson of Hebron was granted an indefinite leave of absence on account of illness in the family.

#### **Introduction of House Bills**

The following bills were introduced, read a first and second time and referred as follows:

HB 130, relative to participation by the state of New Hampshire in the New York World's Fair, 1964-1965. (Peterson of Peterborough and Pappagianis of Nashua, Ward 5) To Resources, Recreation and Development.

HB 131, relating to the prevention of fires by railroad locomotives. (Angus of Claremont) To Transportation.

HJR 8, establishing an interim tax study commission. (Ferguson of Concord) To Appropriations.

#### **Personal Privilege**

Mrs. Schwaner of Plaistow rose on a point of personal privilege.



### **Committee Reports**

HB 59, requiring cities and towns to provide adequate courtrooms for municipal courts, Mrs. Ainley of Manchester for the Judiciary committee. Ought to pass.

The bill was ordered to a third reading.

HB 69, to legalize the annual meeting of the town of Seabrook, March 1962. Mr. White of Atkinson for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 14, relative to county appropriations for fire mutual aid systems, Mr. Pickering of Hancock for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 10, increasing the salary of the clerk of the Portsmouth Municipal Court, Mrs. Legasse of Portsmouth for the Portsmouth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 9, relative to the salary of the justice of the Portsmouth municipal court, Mr. Chandler of Portsmouth for the Portsmouth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 36, to amend the interest and dividends tax, Mr. Hancock of Concord for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 54, providing for the acquisition of a certain dam and water rights by the water resources board, Mr. Casassa of Hampton for Resources, Recreation and Development. Ought to pass.

The Chair referred the bill to the Appropriations committee.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Joint Resolution: HJR 7, relating to the estate of Patrick N. H. O'York, Mrs. Potter of Northumberland for the committee.

**Communications**

Washington, D. C.  
Jan. 30, 1963

Hon. Stewart Lamprey, Speaker of the House  
State House, Concord, New Hampshire

This is to acknowledge receipt of the concurrent resolution re Androscoggin River. Be advised we will work in cooperation with other members of the delegation for the best interests of our state.

Louis C. Wyman, M.C.

\* \* \*

Bristol, Conn.  
Jan. 28, 1963

Dear Friends in the New Hampshire House of Representatives:

Having just received the copy of the resolutions paying tribute to the memory of Joseph D. Vaughan, my husband, I write to sincerely thank you for your expressed appreciation of his services.

Also, I thank you for your kindly sympathy for me and my family.

Gratefully yours,

Rachel T. Vaughan

**Reconsideration**

Mr. Hancock of Concord moved that the House reconsider its vote whereby it killed HB 36, to amend the interest and dividends tax, and spoke against the motion.

The motion did not prevail.

**Parliamentary Inquiry**

Mr. Kearns of Manchester rose on question of parliamentary inquiry.

(discussion ensued)

### Personal Privilege

Messrs. Pickett of Keene and Peterson of Peterborough rose on a point of personal privilege.

(discussion ensued)

### Introduction of a Bill

The following bill was introduced, read a first and second time, and referred as follows:

HB 132, legalizing action taken to authorize sewer bonds of the city of Laconia with the guarantee of the state of New Hampshire, (Prescott of Laconia), to the Laconia Delegation.

Mr. Prescott of Laconia moved that the rules of the House be so far suspended as to dispense with the printing of HB 132.

The Clerk read the bill in full.

\* \* \*

HB 132. Legalizing action taken to authorize sewer bonds of the city of Laconia with the guarantee of the state of New Hampshire.

1 Proceedings Legalized. All votes and proceedings relative to the issuance of bonds in the sum of five hundred ninety thousand dollars for sewer construction taken at the public hearing and city council meeting in the city of Laconia held on December 14, 1962, and all votes and proceedings relative to recommending and authorizing a state guarantee on said bonds taken at the public hearing and meeting of the New Hampshire water pollution commission, held in said city on January 22, 1963, and at the meeting of the governor and council held on February 1, 1963, are hereby legalized, ratified and confirmed and the said bonds with the guarantee of the state of New Hampshire, thereon, may be issued accordingly.

2 Takes Effect. This act shall take effect on its passage.

\* \* \*

The motion was adopted.

Mr. Prescott of Laconia moved that the rules of the House be so far suspended as to permit a public hearing on HB 132 without two days' notice in the Journal.

The motion was adopted.

\* \* \*

The Chair announced that today is the birthday of Mr. Plumer of Bristol.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### **Committee Changes**

Blanchette of Dover from Public Welfare and State Institutions to Transportation. Hayner of Laconia to Public Welfare and State Institutions.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 59, requiring cities and towns to provide adequate courtrooms for municipal courts.

HB 69, to legalize the annual meeting of the town of Seabrook, March, 1962.

HB 10, increasing the salary of the clerk of the Portsmouth Municipal Court.

HB 9, relative to the salary of the justice of the Portsmouth Municipal Court.

\* \* \*

On motion of Mrs. Palmer of Plaistow the House adjourned at 11:53 A.M.

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TUESDAY, FEBRUARY 5, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, Father of Eternal Wisdom, impart this spirit among us as we enter upon the duties of a new day.

Create within each of us the common goal of service — grant us strength to effectively serve and to meet the needs of Thy children committed to our care. Defend us from adversity — protect us from the forces that seek our destruction and the failure of our vital freedoms. Renew our courage to continually confront those who challenge our freedoms — inspire us to perform deeds of greater patriotism within our state and nation — preserve the precious light of liberty, gained through unselfish sacrifice, as a beacon of hope to those less fortunate than we — fill us with an all-consuming passion to walk humbly in Thy Way, armed with faith, abounding in love, and ever thankful for Thy merciful goodness. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Underhill of Nashua led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mr. Fox of Wakefield was granted leave of absence for the week on account of illness.

Mr. Bouvier of Swanzey was granted leave of absence for the day on account of important business.

Messrs. Crouch of Durham, Upton of Concord and Miss Cole of Nashua were granted leave of absence for the day on account of illness.

\* \* \*

The Speaker announced that there have been listed 1,090 bills in the Attorney General's office by title and a substantial number yet to be listed.

### **Introduction of House Bills**

The following bills were introduced, read a first and second time and referred as follows:

HB 133, relative to reclassification of road in Haverhill. (McMeekin of Haverhill) To Public Works.

HB 134, relative to enforcement of classification of surface waters (Harkins of Laconia) To Res. Rec. and Dev.

HB 135, relative to road in Rindge. (Allen of Rindge) to Public Works.

HB 136, providing for reports to the legislature of filings by lobbyists. (McEachern of Portsmouth) to Exec. Depts. and Adm.

HB 137, relative to passenger tramways (Bigelow of Warner) to Res. Rec. and Dev.

HB 138, to allow printing of party designations on check lists. (Messrs. Bednar, Gallagher & Provencal of Hudson) to Exec. Depts. and Adm.

HB 139, relating to the taking of black bear (Kelley of Franklin) to Fish and Game.

HB 140, relating to group life insurance (Gay of Derry and Dame of Portsmouth) to Insurance.

HB 141, providing for the improvement of a highway in New Ipswich. (Karnis of New Ipswich) to Public Works.

HB 142, relative to the sale of recapped motor vehicle tires. (Stickney of Salem) to Transportation.

HB 143, relative to shooting humans while hunting. (Stickney of Salem) to Fish and Game.

HB 144, relative to retired members of the policemen's retirement system. (Rufo of Concord) to Exec. Depts. and Adm.

HB 145, relative to exemption from poll tax by persons over 65 years. (Bednar of Hudson, Soucy of Manchester and Stickney of Salem) to Ways and Means.

HB 146, relative to the classification of a highway in the town of Groton. (Nettleton of Groton) to Public Works.

HB 147, relative to motor boats. (Bushey of Northumberland) to Transportation.

HB 148, relative to non-forfeiture benefits and reserve valuations of industrial life insurance policies. (Varney of Rochester) to Insurance.

HB 149, relative to public meetings and records (Hancock of Concord) to Judiciary.

HB 150, providing for the calling of a constitutional convention. (Ferguson of Concord) to Judiciary.

HB 151, relative to town road aid. (Hanson of Bow) to Public Works.

HB 152, relative to the laws governing the sale of liquors, beer and wines. (Ferguson of Milford) to Liquor Laws.

HB 153, relative to motor vehicle fees. (Newell of Concord) to Transportation.

HB 154, relating to the operation of overweight vehicles. (Pryor of Ashland) to Transportation.

HB 155, relating to the disposition of fines collected by municipal court. (Pryor of Ashland) to Judiciary.

HB 156, relative to motor vehicles on ice on Great Bay. (Dame of Portsmouth) to Transportation.

HB 157, relative to the construction of a residence hall at the University of New Hampshire, and to be liquidated from income. (Dumont of Berlin) to Appropriations.

HB 158, relative to increasing certain penalties. (Lang of Manchester) to Judiciary.

HB 159, relating to changing the penalty in assaults. (Lang of Manchester) to Judiciary.

HB 160, relative to fixing penalties for indecent exposure. (Lang of Manchester) to Judiciary.

HB 161, relative to real estate tax exemption for certain aged residents. (Gaffney and Desnoyer of Claremont) to Ways and Means.

HB 162, providing for certain deductions from retirement benefits for policemen. (Sherman of Lancaster) to Exec. Depts. and Adm.

HB 163, relative to rehabilitation of covered wooden bridges. (Potter of Northumberland) to Public Works.

HB 164, providing for recompilation of volume 2 of the Revised Statutes Annotated. (Upton of Concord) to Judiciary.

HB 165, relative to the sale of the Franklin armory. (Charland of Franklin, for the Franklin Delegation) to Military & Veterans' Affairs and the Franklin Delegation.

HB 166, relative to replacements in an extension of the heating plant system at the University of New Hampshire. (Bevan, Crouch & Littlehale of Durham) to Appropriations.

HB 167, relative to the cancellation of accident and health insurance policies. (Maloomian of Somersworth) to Insurance.

HB 168, relative to the Mascoma Valley Regional School District. (Morse of Enfield, Mrs. Grey of Canaan and Goodfellow of Dorchester) to Municipal and County Gov.

### **Qualified**

Mrs. Gowing of Dublin, having appeared before His Excellency, Governor John W. King, was duly sworn in and qualified to take her seat as a member of the House.

### **Committee Reports**

HB 65, relative to nonresident hunting and fishing licenses, Mr. Felch of Seabrook for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 66, relative to fish and game licenses for persons over seventy years of age, Mrs. Forbes of Marlow for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 56, relating to the disqualification of justices of the municipal court, Mr. Bingham of Concord for Judiciary. Ought to pass.

The bill was ordered to a third reading.

Concurrent Resolution relative to a joint legislative committee to study possible capital needs of state institutions for a twenty-year period, Mr. MacDonald of Concord for Public Welfare and State Institutions. Ought to pass.

The concurrent resolution was adopted.

### **Senate Messages**

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:



SB 6, An act relative to membership of the cancer commission.

SB 10, An act authorizing the Walpole School District to continue its contract with the Bellows Falls, Vermont High School.

### **Introduction of Senate Bills**

The following Senate bills were introduced, read a first and second time and referred as follows:

SB 6, to Public Welfare.

SB 10, to Education.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

HJR 2, Joint Resolution in favor of the estate of Edward W. Morris.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Joint Resolution:

HJR 2, Joint Resolution in favor of the estate of Edward W. Morris.

Mrs. Marx of Langdon for the committee

### **Personal Privilege**

The following members rose on a point of Personal Privilege:

Mr. Stevenson of Bethlehem  
Mr. Peterson of Peterborough  
Mr. Pappagianis of Nashua  
Mr. Goode of Manchester  
Mr. Coutermarsh of Lebanon  
Mr. Shepard of Londonderry

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00

this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Reading of Bills

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 65, relative to nonresident hunting and fishing licenses.

HB 66, relative to fish and game licenses for persons seventy years of age.

HB 56, relating to the disqualification of justices of the municipal court.

\* \* \*

On motion of Mrs. Sadler of Portsmouth the House adjourned at 12:09 P.M.

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WEDNESDAY, FEBRUARY 6, 1963

The House met at 11:00 A.M.

#### Joint Convention

Prayer was offered by Father John Boyce from Queen of Peace Seminary, Jaffrey as follows:

We are come before thee, O God, the Creator of all things, hindered indeed by our many and grievous offenses, but especially gathered together in Thy Name. Come unto us and be with us; vouchsafe to enter our hearts; show us what we must accomplish in order that, with Thy help, we may be able to please Thee in all things. Suffer us not to disturb the order of justice, Thou who lovest equity above all things; let not ignorance draw us into devious paths, nor partiality sway our minds, neither let respect of riches or persons pervert our judgment; but unite us to Thee effectually by the gift of Thine only grace, that we may be one in Thee and may never forsake the truth; inasmuch as we are gathered together in Thy Name, so may we in all things hold fast to justice tempered by mercy, that

so in this life our judgment may not be opposed to Thine and in the life to come we may attain to everlasting rewards for deeds well done. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Cournoyer of Jaffrey led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of students from New Boston High School, courtesy of Mr. Todd of New Boston.

#### **Leaves of Absence**

Mr. Berringer of Woodstock was granted leave of absence for the day on account of illness in the family.

Messrs. Upton of Concord and Stevens of Epsom were granted leave of absence for the day on account of illness.

#### **Introduction, Bills**

The following bills were introduced, read a first and second time and referred as follows:

HB 169, relative to costs in certain cases brought by mechanics and materialmen. (Thompson of Wilmot) to Judiciary.

HB 170, relative to part payment of real estate taxes. (McMeekin of Haverhill) to Ways and Means.

HB 171, to abolish capital punishment. (Fortier and Sheridan of Berlin and Low of Hanover and Mrs. Brown of Sandwich) to Judiciary.

HB 172, relating to costs in cases against state officials. (Soucy of Manchester, Stafford of Laconia, Wheeler of Exeter and Cobleigh of Nashua) to Judiciary.

HB 173, relative to observance of Veterans Day. (Vachon of Manchester) to Judiciary.

HB 174, relative to limitation on expenditures under municipal budget act. (Greene of Rye) to Ways and Means.

HB 175, relative to motor vehicle accident reports. (Hambleton of Goffstown) to Transportation.

HB 176, relative to furnishing accommodations and rendering services on state forests and reservations. (Hill of Conway) to Resources, Rec. & Dev.

HB 177, relative to the authority of the commissioner of public works and highways. (Gove of Concord) to Public Works.

HB 178, relative to the travel allowance of members of the general court. (McMeekin of Haverhill) to Mileage.

HB 179, relative to the registration of lobbyists. (Maloomian of Somersworth) to Executive Departments & Administration.

HB 180, relative to the incorporation of trust companies. (Reddy, Jr., of Hopkinton) to Executive Departments and Administration.

HB 181, relating to the purchase of data processing systems by insurance companies. (Stevens of Epsom) to Insurance.

HB 182, relative to a head tax to be used by towns and cities for educational purposes. (Stevens of Epsom) to Ways and Means.

HB 183, relative to the definition of a hairdressing shop. (Maxham of Concord and Mrs. Shea of Keene) to Public Health.

HB 184, relative to the town of Wolfeboro. (Clafin and Chamberlain of Wolfeboro) to Municipal and County Government.

HB 185, relative to school district budget and approval of tax rate by tax commission. (Shepard of Londonderry) to Ways and Means.

HB 186, repealing the taxation of livestock and poultry. (Frizzell of Charlestown and Kearns of Manchester) to Ways and Means.

HB 187, relative to the use of facsimile signatures and seals on corporate bonds and other obligations. (Carter of Milford) to Judiciary.

HB 188, relative to the construction of a new instructional building and the remodeling of certain present buildings at the University of New Hampshire. (Brown of Sandwich) to Education.

HB 189, authorizing real estate tax exemptions for certain women over the age of sixty-two years. (Morrison of Salem) to Ways and Means.

HB 190, providing for transportation aid to school districts. (Barry of Barrington) to Education.

HB 191, relating to commitment to the industrial school. (Upton of Concord) to Judiciary.

HB 192, relative to water level of Milton Three Ponds. (Dawson of Milton and Osborn of Portsmouth) to Res., Rec. & Dev.

HB 193, relative to removal of prisoners from county jails. (Bell of Plymouth) to Judiciary.

HB 194, relating to investments of savings banks. (Lang of Manchester) to Banks.

HB 195, relating to the Gale Home for Aged and Destitute Women. (Lang of Manchester) to Exec. Depts. and Administration.

HJR 9, in favor of Harry L. Hurlbert. (Marsh of Colebrook) to Claims & Aeronautics.

HJR 10, providing supplemental appropriation for education of the deaf. (Taylor of Whitefield) to Education.

HJR 11, providing an appropriation for the Civil War Centennial Commission. (Heald of Keene) to Exec. Depts. and Administration.

HJR 12, providing for the purchase of a suction dredge for the New Hampshire Port Authority. (Osborn of Portsmouth) to Public Works.

HJR 13, in favor of Mount Washington Observatory. (Peterson of Peterborough) to Public Works.

HJR 14, in favor of the New Hampshire Veterans Association. (O'Shan of Laconia) to Claims & Aeronautics.

HJR 15, in favor of Valley Forge memorial. (Berry of Barrington) to Claims & Aeronautics.

HJR 16, providing supplemental appropriation for school building aid. (Shepard of Londonderry) to Appropriations.

Mr. Henry of Concord moved that the rules of the House be so far suspended as to dispense with the printing of House Joint Resolution 9.

The Clerk read the resolution.

HJR 9, in favor of Harry L. Hurlbert.

That the sum of six hundred twenty-six dollars and eighteen cents for the fiscal year ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965 be and hereby are appropriated to provide funds for Harry L. Hurlbert in recognition of his having become disabled due to an accident occurring in 1947, while on active duty for the fish and game department, the resulting disability having become acute during the year 1955. The sums hereby appropriated shall be expended by the fish and game department to said former employee in such installments as it may determine and said sums shall be charges upon the fish and game fund.

The motion was adopted.

\* \* \*

Mr. Claflin of Wolfeboro moved that the rules of the House be so far suspended as to dispense with the printing of HB 184.

The Clerk read the bill.

HB 184, relative to the town of Wolfeboro.

1. Debt Limit. The town of Wolfeboro is hereby authorized to incur indebtedness in excess of the limitation of indebtedness imposed upon said town by RSA 33, in an amount not to exceed two hundred thousand dollars. Except as herein otherwise provided, bonds and notes issued in connection with such additional indebtedness shall be issued in accordance with RSA 33.

2. Takes Effect. This act shall take effect upon its passage.

The motion was adopted.

### Committee Reports

HB 51, relative to unemployment benefits for certain seasonal employees of the state, Mr. Lewis of Lebanon for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

\* \* \*

Mr. Stafford of Laconia moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for 2 days.

The motion was adopted.

HB 132, legalizing action taken to authorize sewer bonds of the city of Laconia with the guarantee of the state of New Hampshire, Mr. Stafford of Laconia for the members from Laconia. Ought to pass.

The Clerk read the bill in full.

The bill was ordered to a third reading.

### Concurrent Resolution

Mrs. Tarrant of Pittsfield and Messrs. Hambleton of Goffstown, Heald of Keene, Pollock of Keene and Bigelow of Warner offered the following Concurrent Resolution:

\* \* \*

*Be It Resolved* by the House of Representatives of the State of New Hampshire, the Senate concurring, that we respectfully request the Congress of the United States to propose to the people an amendment to the Constitution of the United States, or to call a convention for such purpose as provided by Article V of the Constitution, an article providing as follows:

#### “ARTICLE . . . . .

“Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

“Section 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

“Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three (3) years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

“Section 4. Three (3) years after the ratification of this amendment, the sixteenth Article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts.”

*Be It Further Resolved* that a certified copy of this Resolution be forwarded by the Secretary of State to the President of the United States Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of New Hampshire.

The Clerk read the concurrent resolution in full.

The concurrent resolution was referred to the Judiciary committee.

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following concurrent resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

### **Concurrent Resolution as Amended**

*Resolved* by the House of Representatives the Senate concurring:

The Speaker of the House of Representatives shall appoint five members of the House and the President of the Senate shall appoint five members of the Senate to constitute a special committee for the purpose of studying the needs of the departments and agencies of the state and of the general court so far as space is concerned for their proper operation. The committee shall project its study for a fifteen-year period of possible expansion of state services and the resulting need for office space. Said committee shall report to the 1963 session of the general court.

Mr. Taft of Greenville moved that the House non-concur with the Senate amendment and asked that a committee of conference be appointed.



The motion was adopted and the Chair appointed Messrs. McMeekin of Haverhill, Taft of Greenville and Desnoyer of Claremont as conferees on the part of the House.

\* \* \*

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 4, requiring counties to be listed alphabetically.

### **Introduction of Senate Bill**

The following Senate bill was introduced, read a first and second time and referred as follows:

SB 4, requiring counties to be listed alphabetically, to Municipal and County Government.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 34, relative to the sewerage system in the Plymouth Village Fire District.

HB 35, relative to the powers and duties of the town of Hanover and repealing the charter of the Village Precinct of Hanover.

HB 69, to legalize the annual meeting of the town of Seabrook, March 1962.

### **Communications**

The Secretary of Health, Education, and Welfare  
Washington

February 2, 1963

Dear Mr. Lamprey:

This is to acknowledge receipt of the Concurrent Resolution adopted by the legislature of the state of New Hampshire concerning the current consideration being given by our De-

partment to the question of any interstate pollution that may be occurring along the Androscoggin River.

The Federal Water Pollution Control Law clearly recognizes that the basic responsibility for water pollution control rests with the states and interstate agencies. However, the law also imposes upon me, as Secretary of the Department of Health, Education, and Welfare, the obligation to call a conference of the interested state and interstate agencies when there is evidence of pollution occurring in one state that is having adverse affects on the health or welfare of persons in another state. Evidence of such interstate pollution caused me to call a conference for the Androscoggin River.

The purpose of such a conference is to bring together all the interested parties, public and private, to review the situation and to make a determination of the nature and extent of the pollution, if any, and to agree on what corrective steps might be taken. Once such agreement is reached the matter of supervising the corrective action is invariably handled by the state agencies rather than by the Federal government.

We share the interest of the members of the General Court of New Hampshire in protecting the present and future economic welfare of the Androscoggin River Valley and you can be assured that we will work with local, state and interstate officials to accomplish this goal.

Sincerely,

Anthony J. Celebrezze  
Secretary

\* \* \*

Jan. 31, 1963

Hon. Stewart Lamprey, Speaker  
House of Representatives  
State House  
Concord, N. H.

Dear Mr. Speaker,

It was a very pleasant surprise to receive the Resolution sent to me by the House.

It makes one feel that he is not forgotten by his friends.

Old Mr. Arthritis doesn't want to relinquish his grip on me but rest assured that if and when he does you will see me back in the House.

Sincerely yours,

Lewis H. Carpenter  
Henniker

### Notice

The Chair has received the following reports:

Report on the apportionment of state legislatures: from the Advisory Commission on Inter-governmental Relations.

Planning report to the New England states World's Fair committee.

Report of audit of state departments, institutions and agencies from the Legislative Budget Assistant.

Report of Legislative Budget Assistant to the Finance committee of the Senate and to the Appropriations committee of the House.

These reports will be placed on file with the Clerk unless otherwise ordered by the House.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Reading of a Bill

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 132, legalizing action taken to authorize sewer bonds of the city of Laconia with the guarantee of the state of New Hampshire.

\* \* \*

On motion of Mrs. White of Portsmouth the House adjourned at 11:53 A.M.

THURSDAY, FEBRUARY 7, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O Gracious Heavenly Father, lift our hearts in praise to Thee as we enjoy the blessings of Thy love and mercy. Bestow upon this sovereign state the blessing of prosperity — the increase of faith — the power of truth — and the glory of unselfish service. Guide and direct these stewards who labor in the vineyard of democracy, seeking the establishment of Thy kingdom here on earth. Protect them from all harm in their homeward journey and return them safely to this house to renew their efforts, refreshed in both mind and body.

Grant Thy continuing affection upon the Boy Scouts of America, represented here today by these youth and their counselors. May they ever remain true to the high ideals of their brotherhood and be ever strengthened by Thy inspiration — in the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

### Pledge of Allegiance

Jerry Love of the Daniel Webster Council, Boy Scouts of America, led the Convention in the Pledge of Allegiance to the Flag.

The Scout Oath was then recited by the scouts.

Presentations were then made to the Governor by Explorer scout Mike Perkins, Cub scout Michael Waters and Scout Thurlow Rowe.

### Introduction of a Guest

The Chair introduced Inspector Joseph O. Gorman, Chief Liaison Officer for the Royal Canadian Mounted Police, from Ottawa, Canada. Inspector Gorman addressed the Joint Convention briefly.

\* \* \*

Colors were then posted by the Boy Scouts.

On motion of Senator Martel of District 17 the Convention rose.

## **House**

### **Leaves of Absence**

Mr. Peever of Salem was granted leave of absence for the day on account of important business.

Mr. Langford of Raymond was granted leave of absence for the day on account of illness.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 196, relative to sale of ice cream by weight. (Kimball of Manchester & Keefe of Portsmouth) to Public Health.

HB 197, relating to the temporary registration of automobiles purchased outside the state. (Bednar of Hudson and Herbert of Windham) to Executive Departments and Administration.

HB 198, relating to credit unions. (Hambleton of Goffstown) to Banks.

HB 199, relative to the classification of a highway in the town of Goffstown and the city of Manchester. (Hambleton of Goffstown) to Public Works.

HB 200, relative to the taking of lobsters. (Hambleton of Goffstown) to Fish and Game.

HB 201, relative to exceeding appropriations by county commissioners. (Urie of New Hampton) to Municipal and County Government.

HB 202, relative to health insurance for state employees. (LaFlamme of Concord) to Insurance.

HB 203, relating to attachment liens. (Capistran of Manchester) to Judiciary.

HB 204, relative to salaries of Coos County commissioners. (Dubey of Berlin) to Coos Delegation.

HB 205, relative to the salary of the director of safety services. (Peever of Salem) to Executive Departments and Administration.

HB 206, raising revenue for educational purposes. (Dupont and Conover of Manchester) to Ways and Means.

HB 207, providing immunity from liability in emergency cases. (Herbert of Windham, Bednar of Hudson and Wheeler of Exeter) to Judiciary.

HB 208, legalizing the annual town meeting in the town of Windham. (Herbert of Windham) to Municipal and County Government.

HB 209, relative to extra pay for the police force in the city of Manchester. (Martel of Manchester) to Manchester Delegation.

\* \* \*

On motion of Mr. Bigelow of Warner the reference of HB 180 relative to the incorporation of trust companies, was changed from Executive Departments and Administration to Banks.

### **Committee Reports**

HB 60, relating to the support of spouse, Mr. Johnson of Hanover for the Judiciary committee, Ought to pass with amendment.

The Clerk read the amendment in full.

### **Amendment to HB 60**

Amend section 1 of said bill by adding at the end of said section the words, The domicile requirements of RSA 458:4, 5, and 6 shall not apply to this section; and upon the filing of a petition hereunder, the court may order a husband resident in this state to support his wife and children, regardless of the residence of the wife, so that said section as amended shall read as follows:

1 Support. Amend RSA 458:31 by striking out said section and inserting in place thereof the following: 31 Orders for Support of Spouse. Whenever a husband fails, without justifiable cause to provide suitable support for his wife or deserts her, or if the wife for justifiable cause is actually living apart from her husband, or if the husband is deserted by the wife, or is actually living apart from his wife for justifiable cause, the superior court, upon his or her petition, or if insane

by his or her guardian or next friend, may restrain the husband or wife from interfering with the personal liberty of the other and from entering the tenement wherein the other resides, may grant temporarily and permanently the custody, care and education of their minor children, if any, and may make reasonable allowance for support of the wife and children all subject to such limitations and conditions as the court may deem just. The domicile requirements of RSA 458:4, 5, and 6 shall not apply to this section; and upon the filing of a petition hereunder, the court may order a husband resident in this state to support his wife and children, regardless of the residence of the wife.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 74, relating to prowlers; peeking in windows, Mrs. Ainley of Manchester for Judiciary. Ought to pass with amendment.

The Clerk read the amendment in full.

#### **Amendment to HB 74**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Night Prowlers. Amend RSA 570 by inserting after section 25 the following new section: 570:25-a Peeking in Windows. Any person who loiters or prowls upon the private property of another, in the nighttime, without visible or lawful business with the owner or occupant thereof; and who, while so loitering or prowling upon the private property of another, in the nighttime, peeks in the door or window of any inhabited building or structure, without visible or lawful business with the owner or occupant thereof, shall be guilty of disorderly conduct and shall be fined not more than one hundred dollars or imprisoned not more than six months, or both.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 80, relative to depositing official ballots, Mrs. Griffin for the Judiciary committee. Inexpedient to legislate.

The resolution of the committee was adopted.

HB 82, relating to improper exposure of the person, Mr. Healy of Manchester for Judiciary. Inexpedient to legislate.

Mr. Pickett of Keene moved that the words "Ought to Pass" be substituted for the words, "Inexpedient to Legislate".

Mr. Charland of Franklin spoke in favor of the motion.

(discussion ensued)

Mrs. Potter of Northumberland moved that HB 82 be made a Special Order of Business for Tuesday next at 11:01 A.M.

(discussion ensued)

The motion was lost.

The motion to substitute the words "Ought to Pass" for the resolution of the committee was lost.

The resolution of the committee was adopted.

HB 83, authorizing towns to remove diseased trees on private land, Mr. Desnoyer for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 88, relative to reciprocity of boat operation with residents of contiguous states, Mr. Johnson of Hanover for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 57, authorizing the town of Hanover and the village precinct of Hanover to provide life and health insurance for its employees, Mr. Hill of Conway for Municipal and County Government. Ought to pass with amendment.

#### **Amendment to HB 57**

Amend the title of said bill by striking out the same and inserting in place thereof the following:



An Act authorizing towns and cities to provide life  
and health insurance for its employees.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Town Appropriations. Amend RSA 31:4 by inserting after paragraph XXXVII, as inserted by 1961, 168:1 the following new paragraph: XXXVIII. Life and Health Insurance. To provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combinations of such benefits, for all regular employees of the town and their dependents. The cost may be paid wholly or partly by the town.

2 Cities. Amend RSA 47 by inserting after section 12 the following new section: 47:12-a Life and Health Insurance. The city councils may appropriate money to provide, wholly or in part, group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combinations of such benefits, for all regular employees of the city and their dependents. Any provision in a city charter inconsistent with the provisions of this section shall be repealed to the extent of such inconsistency.

3 Power of Towns. Amend RSA 31 by inserting after section 9 the following new section: 31:9-a Sponsoring certain Benefits. A town may at any legal meeting vote to sponsor a group life, accident, medical, surgical and hospitalization insurance benefit or any combination of such benefits for regular employees of the town and their dependents under which plan said employees agree to pay the premiums. In such case the town treasurer is authorized to withhold from the compensation of such employees who agree to such plan the amount of the premiums and pay over the same to the company furnishing such benefits.

4 Village Precinct of Hanover; Additional Powers. Amend chapter 225 of the Laws of 1901 by inserting after section 15 the following new section: Sect. 15-a. In addition to any other powers heretofore granted the village precinct of Hanover shall have all the powers conferred upon towns by paragraph XXXVIII of RSA 31:4 and by RSA 31:9-a.

5 Takes Effect. This act shall take effect upon its passage.

The amendment was adopted and the bill was ordered to a third reading.

HB 78, legalizing act taken at a special meeting in the town of Littleton, Mr. Tuttle of Dover for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

SB 10, authorizing the Walpole School District to continue its contract with the Bellows Falls, Vermont High School, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

SB 10, authorizing the Walpole School District to continue its contract with the Bellows Falls, Vermont High School, Mrs. Russell of Keene and Mrs. Greene of Rye, a minority of the committee of Education. Ought to pass.

Mrs. Greene of Rye moved that the report of the minority, Ought to Pass, be substituted for the report of the majority, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Low of Hanover spoke against the motion.

(discussion ensued)

Mrs. Russell of Keene spoke in favor of the motion.

Mr. Smith of Walpole spoke against the motion.

(discussion ensued)

Mrs. Berry of Barrington and Mr. Heald of Keene spoke in favor of the motion.

Mr. Watkinson of Fitzwilliam spoke against the motion.

(discussion ensued)

Mrs. Marx of Langdon and Miss Faulkner of Keene and Mr. McEachern of Portsmouth spoke against the motion.

Messrs. Pickett of Keene, Taft of Greenville, Soucy of Manchester, Ballam of Walpole and Bremer of Lisbon spoke in favor of the motion.

Mrs. Frizzell of Charlestown spoke in explanation of the bill.

Mr. Smith of Walpole spoke against the motion. (Second time)

The question is on the motion to substitute the words, Ought to Pass, for the words, Inexpedient to Legislate.

Mr. Pickett of Keene requested a division vote.

256 members having voted in the affirmative and 63 in the negative, the motion to substitute prevailed and the bill was ordered to a third reading.

### Reconsideration

Mr. Hill of Conway moved reconsideration of HB 57, authorizing towns and cities to provide life and health insurance for its employees, and spoke in favor of the motion.

Messrs. Pappagianis of Nashua and Angus of Claremont spoke in favor of the motion.

The motion was adopted.

Mr. Pappagianis of Nashua moved that HB 57 be recommit-  
ted to Municipal and County Government.

Motion prevailed.

\* \* \*

Mr. Herbert of Windham moved that the rules of the House be so far suspended as to dispense with the printing of HB 208, legalizing the annual town meeting in the town of Windham.

The Clerk read the bill in full.

HB 208, An act legalizing the annual town meeting in the town of Windham.

Be it enacted by the Senate and House of Representatives in General Court convened:

1. Proceedings Legalized. The votes and proceedings at the annual meeting of the town of Windham, held on March 14 and March 15, 1962, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

\* \* \*

The motion was adopted.

### Report of Committee on Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 34, An act relative to the sewerage system in the Plymouth Village Fire District.

HB 35, An act relative to the powers and duties of the town of Hanover and repealing the charter of the Village Precinct of Hanover.

HB 69, An act to legalize the annual meeting of the town of Seabrook. March, 1962.

Mrs. Potter of Northumberland

\* \* \*

Mr. Pappagianis of Nashua offered the following resolution:

*Whereas*, May 1, 1963 is Law Day, therefore be it

*Resolved*, That the Committee on Rules, be authorized to select a speaker to address the House on that day.

The resolution was adopted.

### Communication

January 31, 1963

Honorable Stewart Lamprey  
Speaker of the House of Representatives  
State of New Hampshire  
Concord, New Hampshire

Dear Stewart:

Because the training program presently being scheduled for me as New Hampshire-Vermont section distributor for Beauty Counselors of Grosse Pointe, Michigan, is fast reaching the point where it will be necessary for me to be absent from the House a great deal of the time, I feel I would not be doing a good job as a representative or as chairman of the Public Welfare and Institutions Committee.

The career and earnings potential offered me by Beauty Counselors is such, that as much as I regret to do so, I feel I should resign as a member of the House of Representatives.

Thank you for your many courtesies and for the honor of having been named by you as one of the twenty-one standing committee chairmen.

Sincerely,

Ellis Ayre, Representative  
Ward 3, Laconia

The resignation was referred to the committee on Elections.

### **Personal Privilege**

Mr. Cobleigh of Nashua rose on a point of personal privilege.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be in honor of the 26th wedding anniversary of Mr. Maloomian of Somersworth, and to meet next Tuesday at 11:00 A.M.

### **Afternoon Session**

#### **Third Reading of a Bill**

The following Senate bill was read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 10, authorizing the Walpole School District to continue its contract with the Bellows Falls, Vermont High School.

### **Reconsideration**

Mr. Pickett of Keene moved that the House reconsider its vote whereby it passed SB 10 and spoke against the motion.

The motion was lost.

\* \* \*

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 60, relating to the support of spouse.

HB 74, relating to prowlers; peeking in windows.

HB 88, relative to reciprocity of boat operation with residents of contiguous states.

HB 78, legalizing action taken at a special meeting in the town of Littleton.

\* \* \*

On motion of Mrs. Legasse of Portsmouth the House adjourned at 1:41 P.M. in honor of Mr. and Mrs. Maloomian's 26th wedding anniversary.

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TUESDAY, FEBRUARY 12, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

Dear FATHER of LOVE, who hast through the years showered our land with the memories of those who have defended our liberties and preserved our union, continue Thy blessing upon these laborers in the vineyard of democracy. Let us be ever thankful for the memory of Abraham Lincoln upon this day of his birth — inspire us to reaffirm and continually keep his pledge — “that this nation, under God, shall have a new birth of freedom, and that the government of the people, by the people, and for the people, shall not perish from the earth.”\* To this end may we ever be faithful to the responsibilities of our elected offices — in the name of the Father, and of the Son, and of the Holy Spirit. Amen.

\*excerpt from Lincoln's *Gettysburg Address*

### Pledge of Allegiance to the Flag

Mr. Morse of Enfield led the Convention in the Pledge of Allegiance to the Flag.

### House

Mr. London of New London addressed the House briefly honoring Abraham Lincoln.

### Leaves of Absence

Mr. Kelley of Littleton was granted leave of absence for the week on account of illness.

Mrs. Cole of Nashua was granted a leave of absence for the day on account of inclement weather.

Mrs. McDonough of New Castle and the Messrs. Peterson of Peterborough, Stevens of Epsom, Purington of Exeter and Colbath of Dover were granted leave of absence for the day on account of illness.

### Introduction of Bills

The following bills were introduced, read a first and second time and referred as follows:

HB 210, in favor of certain agents of the fish and game department. (Merrill of Hampton Falls) to Fish and Game.

HB 211, relative to the establishment of a cooperative school district in the Newfound area. (Urie of New Hampton and Plumer of Bristol) to Education.

HB 212, authorizing the use of the name New Hampshire Life Insurance Company. (Mahony of Manchester and Peterson of Peterborough) to Insurance.

HB 213, establishing a closed season on hen pheasants in certain towns. (Dame of Portsmouth and Bevan of Durham) to Fish and Game.

HB 214, relative to state participation in water pollution control costs. (Urie of New Hampton and Plourde of Pembroke) to Resources, Rec. & Dev.

HB 215, governing nursing home service corporations. (Morrison of Salem) to Public Health.

HB 216, relative to reports to the tax commission. (Shepard of Londonderry) to Municipal and County Gov.

HB 217, relative to pharmacy fees and board assistants. (Kimball of Manchester) to Public Health.

HB 218, relating to the filing of certificates of insurance by carriers of property and passengers for hire by motor vehicle. (McGee of Lincoln) to Insurance.

HB 219, relative to motor carriers of property. (McGee of Lincoln) to Transportation.

HB 220, relative to lost fish and game licenses. (Morse of Enfield) to Fish and Game.

HB 221, relative to state guarantee of municipal bonds and water pollution projects. (Plumer of Bristol) to Resources, Rec. & Dev.

HB 222, relative to reporting certain shortages of funds. (Reddy of Hopkinton) to Banks.

HB 223, increasing fish and game fees. (Fairbanks of Boscawen) to Fish and Game.

HB 224, legalizing the adoption of zoning regulations in the town of Pelham. Committee on Rules (Mr. Garland of Pelham) to Municipal and County Gov.

\* \* \*

Mr. Garland of Pelham moved that the Rules of the House be so far suspended as to dispense with the printing of HB 224.

The Clerk read the bill in full.

HB 224, legalizing the adoption of zoning regulations in the town of Pelham.

1. Town of Pelham. The following articles adopted at the following meetings of the town of Pelham relative to zoning in said town are hereby legalized, ratified and confirmed: Zoning articles at special meeting May 24, 1955; article 13, meeting of March 11, 1958; articles at special meeting January 5, 1960; articles at special meeting August 24, 1960; article 15 meeting of March 16, 1961; article 16 meeting March 15, 1962; and articles at special meeting September 4, 1962.

Takes Effect. This act shall take effect upon its passage.

The motion was adopted.

\* \* \*

HB 225, to legalize the proceedings of a special meeting of the Wolfeboro School District, was read a first and second time and referred to the committee on Education.

\* \* \*

Mr. Claffin of Wolfeboro moved that the rules of the House be so far suspended as to dispense with the printing of HB 225.

The Clerk read the bill in full.

HB 225, to legalize the proceedings of a special meeting of the Wolfeboro School District.



1. Wolfeboro School District; Proceedings Legalized. The votes and proceedings at the special school district meeting held in the town of Wolfeboro on December 18, 1962, are hereby legalized, ratified and confirmed.

Takes Effect. This act shall take effect upon its passage.

The motion was adopted.

### Committee Reports

HJR 4, in favor of Lucille M. Webb, Mr. Henry of Concord for the Claims and Aeronautics committee. Ought to pass.

The House Joint Resolution was ordered to a third reading.

\* \* \*

HB 32, relative to the employment of an electrical inspector in the office of the fire marshal, was withdrawn by the Chairman of Executive Departments and Administration committee.

\* \* \*

HB 19, relative to the state library, Mr. Allan of Meredith for the Executive Departments and Administration committee. Ought to pass with amendment.

### Amendment to HB 19

Amend paragraph IV of 201-A; 2:IV as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following: IV. Branch offices under the direction of the state library with collections of currently useful books and related materials to serve all the geographic areas of the state by providing professional assistance and long term loans of library materials. Bookmobiles may be used to distribute these materials.

Amend 201-A:3 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following: 201-A:3 Commission; Qualifications. The state library commission shall consist of six members of whom five shall be appointed by the governor with the advice and consent of the council and one as provided in section 6. No more than three of the appointed commissioners shall be of the same political

party and one commissioner shall be a member of the New Hampshire Bar.

Amend 201-A:5 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following: 201-A:5 Removal. Any commissioner may be removed from office in accordance with the provisions of RSA 4:1.

Amend 201-A:6 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following: 201-A:6 Member of the State Board of Education. In addition to the five appointive members of the state library commission the state board of education shall select one of its members to serve as a voting member on the commission.

Amend paragraph I of 201-A:10 as inserted by section 1 of the bill by inserting after the word "receive" in the first line the words, and accept, so that said paragraph as amended shall read as follows: I. Receive and accept at any time such sums of money as may be donated for the purpose of purchasing books or other supplies or facilities for the state library; and money so received shall be converted into a continuous fund or funds which shall not lapse; to be held by the state treasurer from which payments shall be made in accordance with the stipulations of the donor, upon warrant of the governor and council for such purposes as are approved by the commission;

Amend paragraph VIII of 201-A:10 by striking out said paragraph and inserting in place thereof the following: VIII. Establish, equip, and maintain branch offices when the library needs of the state will be better served;

Amend paragraph V of 201-A:15 by inserting after the word "of" in second line the words, state agencies, so that said paragraph as amended shall read as follows: V. Order books and related materials at the request of state agencies and of other libraries having funds on deposit with the state treasurer, provided nothing in this arrangement shall be construed to interfere with the right of each library to make its own selection of books to be ordered.

Amend paragraph III of 201-A:9 by striking out said paragraph and inserting in place thereof the following: III. Preserve a sufficient number of copies of all official reports,

documents, and records including those enumerated in RSA 20 and in RSA 505 to be deposited in the state library.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 72, relative to the charter of the New Hampshire Centennial Home for the Aged, Mrs. White of Portsmouth for the Executive Departments and Administration committee. Ought to pass.

The bill was ordered to a third reading.

HB 62, providing penalties for the reckless operation of boats resulting in death, Mr. Carter of North Hampton for Executive Departments and Administration committee. Ought to pass.

The bill was ordered to a third reading.

HB 93, to increase the powers of Queen of Peace College, Mr. Healey of Manchester for the Judiciary committee. Ought to pass.

The bill was ordered to a third reading.

HB 97, relative to armed robbery, Mr. Spanos for the Judiciary committee. Inexpedient to Legislate.

The resolution was adopted.

HB 64, relative to funds for the state nursing scholarship program, Mrs. Arsenault of Randolph for the Public Health committee. Ought to pass.

HB 64 was referred to the Appropriations committee.

HB 13, relative to the salary of the treasurer of Rockingham County, Mr. Eastman of Exeter for the Rockingham County Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 44, establishing the technical institute in the city of Manchester, Mr. Smith of Plymouth for the majority of the committee on Judiciary. Inexpedient to Legislate.

HB 44, Messrs. Cobleigh of Nashua, Dupont of Manchester, Claveau of Hudson and Cote of Manchester, a minority of the Judiciary committee. Ought to pass.

Mr. Cobleigh of Nashua moved that the report of the minority, Ought to Pass, be substituted for the report of the majority, Inexpedient to Legislate, and spoke in favor of the motion.

Mrs. Clark of Lee moved that further consideration of HB 44 be indefinitely postponed and spoke in favor of the motion.

Messrs. Feldman and Conover of Manchester spoke against the motion.

Messrs. Taft of Greenville, Goodhue of Gilford and Coutermarsh of Lebanon spoke in favor of the motion.

(discussion ensued)

Messrs. Dupont of Manchester and Claveau of Hudson spoke against the motion.

Messrs. Smith of Plymouth, Gove of Concord, Varney of Rochester and York of Concord spoke in favor of the motion.

(discussion ensued)

Mr. Feldman of Manchester spoke a second time against the motion.

Mr. Hill of Conway moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to indefinitely postpone.

Mr. Feldman of Manchester demanded the Yeas and Nays and subsequently withdrew his request and asked for a division.

A division being had with 254 members having voted in the affirmative and 83 voting in the negative, the motion to Indefinitely Postpone HB 44 prevailed.

### Committee Reports Continued

HB 92, relating to legal holidays, Mrs. Cooper of Nashua for the Judiciary committee. Inexpedient to Legislate.

Mrs. Cooper of Nashua moved that further consideration of HB 92 be Indefinitely Postponed and spoke in favor of the motion.

(Mr. Angus of Claremont in the Chair)

Mr. Stevenson of Bethlehem moved that HB 92 be recommit-  
ted to the committee on Judiciary and spoke in favor of the  
motion.

Mr. Wheeler of Exeter spoke in favor of the motion.

Messrs. Pryor of Ashland, Desnoyer of Claremont and Taft  
of Greenville spoke against the motion.

(discussion ensued)

Mr. Keefe of Portsmouth moved the previous question  
and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to recommit HB  
92 to the Judiciary committee.

The motion was lost.

The question now being on the motion to Indefinitely  
Postpone.

The motion prevailed.

\* \* \*

Mr. Hill of Conway moved that the rules of the House be  
so far suspended as to permit the introduction of a committee  
report not previously advertised in the Journal and spoke in  
favor of the motion.

The motion prevailed.

### Committee Report

HB 110, relative to questions submitted to voters of the  
town of Meredith. Mr. Morrill of Salem for the Municipal and  
County Government committee. Ought to pass.

The bill was ordered to a third reading.

\* \* \*

Mr. Hill of Conway moved that the rules of the House be  
so far suspended as to permit the introduction of a committee

report not previously advertised in the Journal and spoke in favor of the motion.

The motion prevailed.

### **Committee Report**

HB 117, relative to method of adopting zoning ordinances, Mr. Stafford of Portsmouth for the committee on Municipal and County Government. Ought to pass.

At the request of Mr. Clement of Rochester, Mr. Hill of Conway explained the bill.

(discussion ensued)

(Speaker in the Chair)

Mrs. Grey of Canaan spoke in favor of the bill.

Mr. Pappagianis of Nashua moved that HB 117 be recommitted to the committee and spoke in favor of the motion.

Mr. Hill of Conway spoke against the motion.

(discussion ensued)

Mr. Ferguson of Concord moved that HB 117 be made a Special Order for 11:01 A.M. tomorrow morning.

The motion was adopted.

### **Senate Messages**

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 9, to legalize proceedings of special meetings of Hopkinton Village Precinct on July 31, 1962 and September 5, 1962.

### **Introduction of Senate Bill**

The following Senate bill was introduced, read a first and second time, and referred as follows:

SB 9, to legalize proceedings of special meetings of Hopkinton Village Precinct on July 31, 1962 and September 5, 1962. To Municipal and County Government.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the pas-

sage of the following entitled bills sent up from the House of Representatives:

HB 4, relative to the disposal of papers and records for department of public works and highways.

HB 18, relative to outdoor advertising.

HB 26, correcting references in statute providing for highway bond issue.

HB 15, providing for certain deductions from retirement benefits for employees of political subdivisions.

HB 17, transferring Brookfield and Wakefield from councilor district 2 to district 1.

HB 132, legalizing action taken to authorize sewer bonds of the city of Laconia with the guarantee of the state of New Hampshire.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 15, An act providing for certain deductions from retirement benefits for employees of political subdivisions.

HB 17, An act transferring Brookfield and Wakefield from councilor district 2 to district 1.

HB 132, An act legalizing action taken to authorize sewer bonds of the city of Laconia with the guarantee of the State of New Hampshire.

SB 10, An act authorizing the Walpole School District to continue its contract with the Bellows Falls Vermont High School.

Mrs. Potter of Northumberland for the committee

### **Resolutions**

Mr. Hambleton of Goffstown offered the following resolutions:

*Whereas*, our fellow attache, Benjamin F. Greer of Manchester, is ill in the Hospital and,

*Whereas*, Ben has worked with us for many years, therefore be it

*Resolved*, that we, the members of this House of Representatives and the attaches herewith extend to him our wishes for a speedy recovery and our hope that he will be back with us soon, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Mr. Greer.

The resolutions were unanimously adopted.

### Communication

Limerick, Maine

Feb. 9, 1963

To the members of the House of Representatives  
Concord, N. H.

Mr. Stewart Lamprey, Speaker of House of Representatives

Dear Mr. Lamprey:

Just a few lines to express my most grateful thanks to you all for the beautiful tribute to my late father, Patrick N. H. O'York, which got here on Jan. 31st.

He was so proud of his election to the House of Representatives for a second term.

I know he will be missed by all his colleagues and his many friends, but his son Brendan J. I. O'York of Manchester and I will miss him until the end of our lives, for he was a wonderful father to us, and he is sorely missed by his sister, Mrs. Lester Reed (Mildred) also.

Thanking you so much for your kindness in sending me the beautiful tribute in memory of my father.

Most sincerely,

s/ Mrs. Elizabeth M. Sprague  
13 Wescott St.  
Limerick, Maine



### Senate Message

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled concurrent resolution: Concurrent Resolution No. 6 and the President has appointed as members of said Committee on the part of the Senate: Senator Whalen and Senator Martel.

### Announcements

The Chair announced that today is the 14th wedding anniversary of Mr. Desmarais of Jaffrey.

\* \* \*

The Chair announced that the report by the Administrative Committee for Municipal Courts on Municipal Courts of New Hampshire is on file with the Clerk.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Reading of Bills

The following bills and resolution were read a third time, passed, and sent to the Senate for concurrence.

HJR 4, in favor of Lucille M. Webb.

HB 19, relative to the state library.

HB 72, relative to the charter of the New Hampshire Centennial Home for the Aged.

HB 62, providing penalties for the reckless operation of boats resulting in death.

HB 93, to increase the powers of Queen of Peace College.

HB 13, relative to the salary of the treasurer of Rockingham County.

HB 110, relative to questions submitted to voters of the town of Meredith.

On motion of Mrs. Green of Rye the House adjourned at 1:28 P.M. in honor of Abraham Lincoln.

WEDNESDAY, FEBRUARY 13, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O THOU, who art the Father of us all, continually sustain Thy children in everlasting brotherhood. Free us from the prejudices of race, color, creed, and station in life as we labor to build our state and nation upon the solid foundations of Thy love — one for another. Enable us to walk each day in closer harmony and fellowship as we strive to create a more perfect union through the power of our decisions and the responsibilities of our various offices. Preserve our heritage of freedom with its sacred liberties as we acknowledge our obligations to our brother man. Unite us in the common bond of brotherhood through love and understanding, that regardless of the man-made divisions in life, we may be one in Thy Spirit. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Hood of Plainfield led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced Congressman James C. Cleveland who addressed the House briefly.

### **Leaves of absence**

Messrs. MacDonald of Concord and Colbath of Dover were granted leave of absence for the day on account of illness.

Mr. Lambert of Hooksett was granted leave of absence for the day on account of important business.

Mr. Spanos of Newport was granted leave of absence for today and Thursday on account of important business.

### **Introduction, First & Second Reading of House Bills**

HB 226, relative to a certain transfer of land from the state to the town of Newbury. (London of New London) to Municipal & County Government.

HB 227, relative to taxation of life insurance companies. (Hancock of Concord) to Insurance.

HB 228, relative to fees for medical referees. (Maxham of Concord) to Public Health.

HB 229, relative to the personnel advisory board of the city of Portsmouth. (Keefe and Dame of Portsmouth) to Portsmouth Delegation.

HB 230, relative to town road aid. (Hanson of Bow) to Public Works.

HB 231, relative to compensation for members of board of medical examiners. (Maxham of Concord) to Public Health.

HB 232, providing for payments in lieu of taxes on certain recreational lands. (Goodhue of Gilford) to Ways and Means.

HB 233, relative to Colby Junior College for Women. (London of New London) to Executive Departments and Administration.

HB 234, relating to the bounty on bobcats, lynxes, timber wolves and prairie wolves. (Vashaw of Berlin) to Fish and Game.

HB 235, relative to the disposition of fines imposed for shooting a human while hunting. (Vashaw of Berlin) to Fish and Game.

HB 236, relative to investments of credit unions. (Dumont and Fortier of Berlin) to Banks.

HB 237, relative to charitable contributions by savings banks and cooperative banks. (Scott of Derry) to Banks.

HB 238, relative to the duties of the bank commissioner. (Walsh of Manchester) to Banks.

HB 239, relative to emergency payments by county commissioners. (Urie of New Hampton) to Municipal and County Government.

HB 240, relating to service exemption. (London of New London) to Military & Veterans Affairs.

HB 241, limiting authority of state agencies. (Stevenson of Bethlehem) to Ways and Means.

HB 242, prohibiting the taking of hen pheasants. (Rousseau of Manchester) to Fish and Game.

HB 243, relative to investment of school district funds. (Greene of Rye) to Education.

### Committee Reports

HB 3, relative to clerical assistants for the supreme court, Mr. Shepard of Londonderry for Appropriations committee. Ought to pass with amendment.

### Amendment to HB 3

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Appropriation. In addition to any appropriations made for the supreme court there are hereby appropriated the following sums: For the fiscal year ending June 30, 1963, for personal services the sum of \$1,098.79 and for current expenses and equipment the sum of \$650.

Further amend said bill by striking out section 3 and inserting in place thereof the following:

\* \* \*

3 Takes Effect. This act shall take effect as of March 1, 1963.

The amendment was adopted and the bill was ordered to a third reading.

Concurrent Resolution relative to a joint legislative committee to study possible capital needs of state institutions of learning, Mrs. Demers of Lebanon for the Education committee. Ought to pass.

The Concurrent Resolution was adopted.

HB 63, relative to hunting from motor vehicles by disabled persons, Mr. Welch of Concord for the Fish and Game committee. Ought to pass with amendment.

On motion of Mr. Welch of Concord, reading of the amendment was dispensed with and Mr. Welch explained the amendment.

**Amendment to HB 63**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Hunting from Motor Vehicle. Amend RSA 207:7-a (supp) as inserted by 1957, 188:1 by inserting after the word "veteran" in the second line the words, or a person, so that said section as amended shall read as follows: 207:7-a Disabled Veterans and Persons. The above section shall not apply to a disabled veteran or a person who is suffering from paraplegia or who is suffering from the loss of, or the loss of the use of, both lower extremities and who has obtained a current license to hunt, provided however that such person must first obtain from the director a special permit entitling the said person to hunt while using a motor vehicle, not to include boats with motor attached or aircraft, and further provided that no loaded firearm, shotgun or rifle shall be carried or transported with a cartridge either in the chamber, magazine or clip attached to said firearm, shotgun or rifle, while said vehicle is in motion. The director may issue such a permit upon application in person or upon documentary proof of such disability by a licensed hunter. Such permit must be carried upon the person of the permittee while hunting and shall be produced for inspection upon the demand of any law enforcement officer. Such permit may be revoked for such period as the director may deem proper upon satisfactory proof that such permittee is an improper person to have such a permit or upon conviction in any court of a violation of this title. Such permit shall expire on December thirty-first of each year and the director shall charge a fee of fifty cents for such permit or the renewal thereof. Each permittee shall be given one deer seal which must be attached to the deer immediately upon killing. Should the permittee need assistance in the case of a wounded deer, he shall give the seal to the assistant to attach to the deer before moving it to the vehicle for the permittee to tag.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

Concurrent Resolution Memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, Mr. Desnoyer of Claremont for the Judiciary committee. Inexpedient to legislate.

The committee resolution was adopted.

HB 73, relative to gifts to towns, Mr. Wildey of Westmoreland for the Judiciary committee. Ought to pass with amendment.

The Clerk read the amendment in full.

Mr. Totman of Alstead explained the amendment.

### **Amendment to HB 73**

Amend the title of said bill by striking out the same and inserting in place thereof the following new title:

An act relative to gifts to the town of Tamworth.

Amend section 1 of said bill by striking out the words "Amend RSA 41 by inserting after section 9 the following new section: 41-9-a Acceptance and Use of Gifts. The selectmen" in the first three lines, and inserting in place thereof the words, The selectmen of the town of Tamworth, so that said section as amended shall read as follows:

1 Authority of Selectmen of Tamworth. The selectmen of the town of Tamworth may accept gifts, grants, legacies and devises, not subject to regulation as provided in RSA 31:19 made to them for the promotion of the general welfare of the town and its inhabitants including the promotion of the arts, town history, sports, recreation and industrial development and may draw orders upon the treasurer against such funds for said purposes.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 84, providing for chairman pro tem for water pollution commission and relative to standards for Class B-1 waters, Mr. Conover of Manchester for the Resources, Recreation and Development committee. Ought to pass.

The bill was ordered to a third reading.

HB 87, relative to racing on the ice of public waters, Mr. Conover of Manchester for the Resources, Recreation and Development committee. Ought to pass.

The bill was ordered to a third reading.

HB 130, relating to participation by the state of New Hampshire in the New York World's Fair, 1964-65, Mr. Conover of Manchester for the Resources, Recreation and Development committee. Ought to pass.

HB 130 was referred to the Appropriations committee under the Rules.

HB 94, authorizing prepayment of taxes, Mr. Bevan of Durham for the Ways and Means committee. Ought to pass with amendment.

The Clerk read the amendment in full and Mr. Bevan of Durham explained the amendment.

### **Amendment to HB 94**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Authority Granted. Amend RSA 80 by inserting after section 52 the following new section. 80:52-a Prepayment. Any town by vote at a town meeting under a proper article in the warrant and any city by vote of its governing board may authorize the prepayment of taxes and authorize the collector of taxes to accept payments in prepayment of taxes. If a town or city so votes, any person, firm or corporation owning taxable property on April first may, after April first and before notice of the amount of taxes assessed against said property for that year has been received, make payments on account of such taxes in sums of not less than ten dollars or in any sum divisible by ten dollars, and the collector shall receive such payments and give a receipt therefor and credit the amounts paid toward the amount of the taxes eventually assessed against said property. In any town or city which shall vote to authorize the prepayment of taxes the collector of taxes shall give such bond in the form and amount which the tax commission shall require, and he shall pay over all sums so received to the town treasurer under the provisions of RSA 41:35.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 31, relative to the repeal of the school per capita tax, Mrs. Palmer of Plaistow for the Ways and Means committee. Inexpedient to Legislate.

Mr. Plumer of Bristol moved that HB 31 be made a Special Order at 11:01 A.M. on Wednesday next and spoke in favor of the motion.

Mrs. Palmer of Plaistow spoke in favor of the motion.

The motion was adopted.

### Special Order

HB 117, relative to method of adopting zoning ordinances, was taken from the table.

Question being, shall the bill be read a third time.

The bill was ordered to a third reading.

### Communication

New Durham, N. H.  
Feb. 10, 1963

Hon. Stewart Lamprey  
Speaker, House of Representatives,  
State House  
Concord, N. H.

Dear Mr. Speaker:

Will you please thank the members of the House of Representatives for their kindness in passing the Resolution on my illness, which was sent me. It gave me a very warm feeling to know that I was not forgotten and I appreciate their thoughtfulness very much.

I am discovering the hard way that broken bones don't heal quickly, but I hope to be back with you as soon as I can navigate safely.

Best wishes to all,

Idanelle Moulton

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading



of bills be by title only and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Reading and Final Passage of Bills

HB 3, relative to clerical assistants for the supreme court.

HB 63, relative to hunting from motor vehicles by disabled persons.

HB 73, relative to gifts to the town of Tamworth.

HB 84, providing for chairman pro tem for water pollution commission and relative to standards for Class B-1 waters.

HB 87, relative to racing on the ice of public waters.

HB 94, authorizing prepayment of taxes.

HB 117, relative to method of adopting zoning ordinances.

\* \* \*

On motion of Mrs. Morrison of Salem the House adjourned at 11:48 A.M.

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THURSDAY, FEBRUARY 14, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

Heavenly Father, giver of every good and perfect gift, endow us with the virtues of wisdom, justice, mercy, and love. As we undertake the affairs of state, teach us how to use these virtues — that we may keep the trust and confidence of those who have chosen us to serve in their behalf.

Grant to our Governor, his Council, and this Joint Convention Thy blessing as they labor to preserve the sovereignty

of our "Granite State" from Coos to the Sea. Guide and direct us in all our endeavors as we seek the common good. Through Jesus Christ our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Cooper of Nashua led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

His Excellency, Governor John W. King, appeared before the Joint Convention and delivered the following message:

### **Budget Message**

Mr. Speaker, Mr. President and Honorable Members of the General Court.

Today, for your consideration, we present our recommendations on the most important problem that you will be called upon to deliberate during this session . . . namely, the state budget.

At the outset, let me say that I shall present to you a balanced budget.

In the preparation of my budget I have not swept any problems under the carpet — nor have I puffed any estimates into flattering enlargements, that would evaporate at the end of this biennium. The budget and its supplementary data is frank, fair and comprehensive. This is a trim and a liveable budget. There is no superficial effort to increase services and cut income. The budget may be boring in its detail but it will provide you with a complete picture of our state finances. The budget notes, which will be provided you in printed form, furnish the supplementary reasons and the background for the budget. For the convenience of the house appropriations committee, and the senate finance committee, a draft of the budget bills which summarize the detailed budgets have been given to the chairman of the appropriations committee — and the chairman of the senate finance committee — respectively. While I recognize and respect the prerogatives of these committees to prepare the budget bills — I have so acted for their convenience. The budgets of all departments and agencies have been prepared and submitted to these two committees. The capital

budget has also been given to these committees for their consideration.

Long and tedious hours have gone into the preparation of this all-inclusive fiscal statement and my budget and I am indebted to the dedicated state employees for their help. Our state can be proud of men of the calibre of comptroller, Leonard Hill; director of personnel, Roy Lang; business supervisor, Walter Mead; director of accounts, Norval Lessels and assistant business supervisor, Ralph Brickett. Although the statutes say that the governor shall prepare the budget, it is actually the governor-elect's budget and I would recommend that the law be amended to recognize this. I want to extend my appreciation to former Governor Powell who offered his complete cooperation but in no way interfered with the preparation of this budget.

In our budget hearings we invited as observers, for the first time, members-elect of the house and senate so that these lawmakers might have first-hand knowledge of the testimony of the agency heads. This year, for the first time, we tape recorded all of the testimony at the budget hearings and those tapes are available to any house and senate member who might wish to review them.

### **Total Expenditures**

First, let us examine the overall fiscal picture.

In the present biennium which ends June 30, 1963, we are spending at the rate of 192 million dollars for the two year period.

For the same period in fiscal 1964 and 1965, our department heads requested a total of 225 million 700 thousand dollars . . . an increase of 33 million 200 thousand over the present rate of spending.

I have recommended 198 million 500 thousand.

This represents a cut in agency requests of 27 million 200 thousand dollars.

This reduction was necessary if we are to keep our state solvent and I repeat what I said in my inaugural address, that I was not elected to serve as a trustee in bankruptcy for the State of New Hampshire.

### **Personnel Services**

Our department heads requested that we add 468 new workers to our state payrolls over the next two years. To have granted those requests would have added almost 4 million dollars to our state payrolls.

We reduced those requests from 468 new workers, at an added cost of 4 million dollars, to 154 new workers at a cost of 1 million 125 thousand dollars.

At the same time, 18 positions were abolished at a savings of 178 thousand dollars.

So, our recommendations call for the net addition of 136 new workers at a cost of 945 thousand dollars. This is 2 million 800 thousand dollars less than requested by the various agencies.

I wish to point out here that I am recommending new positions only where absolutely necessary. These areas include institutional personnel essential for the care of patients; personnel to staff new buildings or new wards; anticipated new liquor stores, new legislative programs, such as the New Hampshire Technical Institute, that alone calls for 38 new positions, and personnel to meet new federal highway requirements.

It is interesting to note that while my recommended amount for personnel services for fiscal 1964, and not including savings from the 18 abolished positions, is \$470,000 more than what was appropriated for fiscal 1963, this not only includes \$366,000 for new positions but also built in yearly salary increments of \$312,000. Without these two items my recommendations for personnel services for fiscal 1964 would be \$119,000 less than appropriated for fiscal 1963.

### **Classification of Expenditures**

Our state appropriations are divided by class of expenditure such as personnel services, current expense, travel and equipment. For the first time in the state's history, an accurate accounting has been maintained as the adjustments were made in the appropriation requests for each class of expenditure. Let us examine the record.

### **For Permanent Personnel Services**

Agency requests totalled 53 million 270 thousand. I recommend 50 million 270 thousand.

### **For Other Personnel Services**

7 million dollars was requested. Our recommendation is 5 million 400 thousand.

### **Current Expenses**

The requests totalled 26 million 800 thousand. Our recommendation is 23 million 800 thousand.

### **Out of State Travel**

Our department heads requested almost half a million dollars more than current spending levels for out of state travel in the next biennium. Our recommendations deny this request and call for a cut of 218 thousand dollars less than current expenditures for this item. This is a substantial cut and we acknowledge it. Travel outside the state, usually in the nature of conventions, not only is expensive but also results in many man hours of key state officials away from their desks. We feel economies in this area can be effected without harm to the state.

In this connection the present law, RSA 9:26 allows trips out of state without governor and council approval when only one person within the department is making the trip. In the interest of economy and the reduction of absence of employees from the state, I recommend that RSA 9:26 be amended to provide that trips by one person within a department shall be subject to prior approval by the governor.

### **Equipment**

Another first in the history of state budget review procedure developed a system for the examination of equipment appropriation recommendations based upon factual knowledge. A review and report was made by the director of purchase and property and his staff of all new and replacement expenditure requests by the state agencies. As a result, it was possible to make adjustments in the requests based upon up-to-date

information compiled by the division of state government qualified to make such an appraisal. This careful review resulted in the reduction in the biennium of 1 million 480 thousand from the original agency requests.

### **The Highway Fund**

Nearly one-half of all the total expenditures of state government are made under the highway Fund. The operations of the department are financed entirely by highway user taxes. Most of the state income is obtained from motor vehicle fees and gas tax receipts. Federal funds account for nearly 40% of the total department receipts. The difference between revenue and appropriation is usually met by a bond issue authorization.

The recommended appropriations for 1964-1965 provide for continued full utilization of federal matching funds and adequate maintenance of our highway system. Those expenditures of the safety department chargeable to the highway fund have been held to the level necessary to maintain highway safety. All these carefully considered budget actions have resulted in a substantial reduction in the bond requirements as requested by the agency.

The 1961 legislature authorized 5 million dollars of construction bonds in fiscal 1962 and a like amount in fiscal 1963 for a 10 million dollar total. In 1964-1965 the department requested 12 million dollars of bonds. The recommended appropriations have reduced the bond requirements to 8 million 200 thousand, or a debt reduction of 3 million 800 thousand dollars. It is mandatory that the bonded debt and the related debt service be held to an absolute minimum. Every highway dollar spent for repayment of bonds and interest means one less dollar available for the maintenance and betterment of our highways. I should emphasize that the recommended reductions in the bond requirement will in no way mean a cutback of our present roadbuilding program.

### **Departmental Activity**

While time does not permit a detailed discussion of the appropriations recommended for each agency, it is proper that we review the budget highlights of some of the larger departments.

## Department of Resources and Economic Development

### Office of Commissioner

The organization of the office of commissioner was approved by governor and council as the result of the reorganization of this new department. The accounting, maintenance, warehousing, and merchandising operations of the former agencies were transferred to it under the direct control of a supervisor of business management.

In any consideration of this new division of operation, it must be remembered that reorganization savings were presumed to be possible from these transferred services. Instead the department requested nine new positions totalling \$58,000, a \$10,000 increase in other personnel service, a 50% increase in travel, and three times as many equipment dollars.

The fiscal 1963 reorganization budget approved by governor and council provided for expenditure of \$242,000. It is recommended that expenditures in 1964 and 1965 be established at \$249,000 and \$250,000 respectively, an increase of \$15,000 over the 1963 level. This compares to a \$142,000 increase requested by the agency.

It should be carefully noted that the budget of the office of the commissioner contains expenditures of about \$200,000 yearly which previously were chargeable to the division of parks.

### Division of Economic Development

The reorganization budget for this division provided a 1963 appropriation of \$515,000. The agency requests increased this level of expenditure by \$367,000. The 1964-1965 appropriation recommendations maintain about the 1963 level of operation as approved by governor and council.

### Division of Parks

Deficits in the operation of this division have placed an alarming and substantial dollar demand upon the resources of the general fund.

(1) It is estimated, based upon present revenue projections, that the legislature must consider an appropriation of \$426,000 to cover the projected June 30, 1963, deficit in the recreation fund.

(2) Estimated revenues in the 1964-1965 biennium fail to cover recommended expenditures by \$130,000.

(3) The office of commissioner contains expenditures of about \$400,000 in the 1964-1965 biennium which are for services to the division of parks.

(4) The total of the three items places a \$955,000 demand upon the general fund for an operation which in the past was considered to be self-supporting.

(5) This \$955,000 demand exists after every possible reduction has been made in the appropriation requests of the agency.

(6) Had the budget requests been approved as requested, the deficit demand on the general fund would have totaled 1 million 367 thousand dollars.

In view of the apparent lack of present or future ability of the recreation fund to cover its expenditures, it is recommended that the provisions of RSA 219:20 be amended to abolish the recreation fund and provide that the division of parks be a general fund agency.

As earlier indicated under the office of the commissioner, the revenue estimates for 1963 and 1964 have been reduced based upon an up-to-date analysis of the comparable 1961 and 1962 actual receipts through December 31.

The approved new seasonal positions were those required to staff newly opened facilities. Other operating costs related to these facilities were also granted.

The \$95,000 requested each year for park promotion was reduced to \$70,000 yearly in 1964-1965, an amount about equal to similar appropriations approved by the 1961 legislature.

The \$320,000 in 1964 and \$314,000 in 1965 is added to the debt service requested by the agency for a new total of \$530,000 in 1964 and \$509,000 in 1965. This compares to \$155,000 expended in fiscal 1962.

I am assigning a member of the comptroller's department to help this department in the adoption and furtherance of more efficient business practices. If more business-like practices cannot be instituted, serious consideration should be given to leasing state owned facilities to private management experts.



## **Department of Health and Welfare**

The three reorganizations of state government approved by the 1961 legislature provided for the regrouping of services and transfer of positions and appropriations after consultation with the advisory commissions, approval of position transfers by the personnel commission, and final approval by governor and council. It is understood that two reorganizations followed this requested procedure; but that the health and welfare reorganization was not generally implemented as provided by law, and that most of the changes proposed in the budget requests were neither approved or reviewed by personnel under personnel services, or the governor and council on an over all basis. Consequently, the functions shown as transferred between divisions in the budget requests have been transferred back to their place of origin. It is recommended that the reorganization of the department be first subject to consultation and approval by the division directors, the advisory commission, the personnel commission, and the governor and council as provided by RSA supplement 126-A2 (1961, 222.1).

## **Public Safety**

### **Safety Department**

The reorganization of the safety department was proposed on the basis of improved services to the public at reduced or only slightly greater costs. In fact, the original reorganization of the department as approved by governor and council developed unexpended balances of \$89,000 in 1962 and \$107,000 in 1963.

This good pattern of reduced expenditures was sharply reversed in the 1964-1965 budget requests which increased from 1 million 999 thousand appropriated by governor and council action in 1963 to 2 million 769 thousand requested in 1964 and 2 million 647 thousand requested in 1965, or an increase of 1 million 418 thousand dollars in the biennium over the 1963 level. The recommended appropriations for 1964-1965 are \$944,000 lower than the original request; but, regardless of these substantial reductions, remain \$474,000 higher than the 1963 level. The highway fund net appropriation has been reduced through the application of all possible revenues to a net of \$357,000 over the 1963 level, and against this net can

be applied an estimated June 30, 1965, balance forward on the initial plate fund of \$88,000. This balance was developed only after the agency had submitted a budget which included all known safety programs under this fund.

Although the general fund appropriation of \$109,000 in 1963 was increased to \$388,000 in 1964 and \$349,000 in 1965, application of the motor boat fund revenue reduces the net general fund demand to \$88,000 in 1964 and \$65,000 in 1965. In addition, it is recommended that an estimated \$182,000 unused and un-needed balance in the boat fund on June 30, 1963, be lapsed to the general fund. The combination of this action improves the general fund position by \$414,000 over the former 1963 level of appropriation and motor boat fund use.

The state police division requested a budget separation to provide for a traffic bureau and a detective bureau. This change has been approved by the appropriation recommendations, except the twelve requested detective sergeants have been reduced to four detective corporals and two detective troopers. As a result of the change the general fund will be charged with the cost of the detective bureau in the amount of \$116,000 in 1964 and \$112,000 in 1965, with the provision that no part of this appropriation shall be transferred or spent for any other purpose. Now, instead of a highly speculative 85%-15% split between the highway and general funds for the cost of state police, the Legislature has a firm known factual division of costs between these two funds.

Formerly the budgets provided appropriations for police cruisers which were the estimated net cost to the state after the new cruisers had been purchased and the used cruisers had been sold by purchase and property on a bid basis. The result was a form of cruiser purchase revolving fund, with resulting lack of firm control and ability to exceed the intent of legislative appropriations. The budget for the 1964-1965 biennium provides appropriations for the full cost of new cruisers and carries a revenue item of \$48,000 yearly as the estimated recovery from the sale of used cruisers.

Based upon estimates of added revenue by the road toll administrator, substantiated by the audit analysis made by Cooley Marvin, three new auditor positions were approved for the road toll section. Without question, the highway fund

revenue will benefit substantially from this modest appropriation increase.

In the interest of firm control of expenditures and efficiency of service and operation, a communications section has been approved under the budget of the state police division. The expenditures of this section are offset by revenues from the using agencies.

The division of safety services was formerly financed by a split between highway, motor boat, and general funds. The budget as recommended combines the motor boat receipts and expenditures under the general fund. While this budget, in all areas except motor boat expenditures, is recommended at present levels, all major requests for navigation safety have been allowed as a means of providing adequate controls over the rapidly expanding use of boats of all types on our inland waters.

Presently the division of accounts is carrying a \$30,000 old year reserve approved by governor and council for a boat house. It is recommended that an adequate boat house be considered as a capital budget expenditure, utilizing the \$30,000 now held in old year reserve.

### **University of New Hampshire**

RSA 187:24 provides that the "treasurer shall credit . . . a sum equal to one and one-half mills on each dollar of equalized valuation of the taxable property in the state as of April 1 of the calendar year preceeding such biennial period." The statutes further provide that the mill tax pays salaries, current expense, construction of additional buildings, purchase of land, library books and periodicals, repairs and replacements, roads, walks and grounds and utilities as directed by the trustees.

The original equalized valuation of the mill tax was based upon pre-war values. About 1953 this base was increased to post-war values. The 1955 legislature increased to full and true value at today's rates, i.e., the price paid by a willing buyer to a willing seller. This means that the mill tax authorizes appropriations to the university about 100% higher than provided by the intent of the original formula.

The equalized valuation of the state has increased from 1 billion 71 million in 1952 to 2 billion 618 million in 1960.

Based upon the 1960 valuation, the university received appropriations of 3 million 927 thousand dollars each year in the 1962-1963 biennium. The tax commission has not as yet determined the valuation for 1962 which becomes the base of the 1964-1965 appropriations.

The university requests are based upon about a 12% increase in valuation, or appropriations of 4 million 400 thousand dollars each year in the next biennium. In accordance with the provisions by law, and the present best judgement of all concerned regarding the 1962 equalized valuation, the appropriation requests of the university have been approved.

### **Agriculture Department**

The present commissioner of agriculture did not prepare the budget as submitted to the governor's budget committee. For this reason, he received permission to review the appropriation requests and make such adjustments as appeared warranted in his judgement. A considerable number of changes in the appropriation recommendations and certain of the reductions resulted from this review.

One of the changes considered of first importance by the commissioner, refers to the abolishment of the control supervisor in the office of the commissioner and the substitution of a position of market analyst in the division of markets and standards. The change reduces the annual salary by about 1 thousand dollars and should result in a more efficient and realistic organization of this function within the agency.

I have spent much time with our new commissioner of agriculture on his budgetary problems and in endeavoring to improve the services of his department. The commissioner's genuine cooperation in seeking to improve the internal organization of his department, must not pass without commendation.

### **The General Fund**

Let us now look at the general fund. The general fund appropriations rank second only to highway in the total of all state expenditures. The general fund operations include those state receipts and expenditures which are not allocated by statute for special purposes such as the fish and game fund, the highway fund and the several other special funds. The revenues

of the general fund are obtained from sources which generally affect the pocketbooks of all New Hampshire people. Because of this, the executive and legislative branches of government devote much time to budget considerations in order to bring general fund revenue and balances in line with appropriated expenditures.

### **General Fund Expenditures**

Two years ago the legislature approved appropriations, including salary increases for our state family, of 54 million 360 thousand dollars for fiscal 1962-1963.

For fiscal 1964-1965 our agencies requested 78 million 600 thousand dollars, an increase of 45% over present spending levels.

I recommend expenditures of 63 million 45 thousand dollars, a reduction of 15 million dollars from departmental requests. But still an increase of 8 million 685 thousand dollars over present spending levels.

### **General Fund Revenues**

In 1962, general fund revenues totaled 28 million 390 thousand dollars.

After careful consideration, I estimate the general fund revenues in 1964 will reach 31 million 279 thousand dollars and in 1965, 31 million 776 thousand dollars.

This will provide total general fund revenues for the next biennium of 63 million 55 thousand dollars.

To review briefly, I have recommended a general fund operating budget of 63 million 45 thousand dollars and I estimate our general fund revenues to be 63 million 55 thousand dollars. The figures clearly demonstrate that we are working on a tight margin; nevertheless, the general fund revenues and expenditures are in balance.

### **General Fund Surplus**

It is estimated that at the end of this biennium we will have a surplus of 4 million 940 thousand dollars in the general fund. However, it must be pointed out that all of this must go to cover our debt service which is estimated by the state treasurer

as 4 million 977 thousand dollars. The only remaining available funds are found in the 400 thousand dollar inventory bond retirement. However, I have recommended further additions to this balance as follows:

(1) 1 million 250 thousand dollars of estimated appropriation lapses. But it should be pointed out that these funds are all appropriated to the agencies and could all be expended.

(2) An estimated 269 thousand 500 dollars from unneeded special fund balances recovered to the general fund.

(3) And, 295 thousand dollars lower debt service by amending the 1961 capital budget to provide 20 year instead of 10 year bond amortizations.

These recommendations will increase the available funds to 2 million 216 thousand dollars.

However, I am obligated to point out that there are commitments against these funds as follows:

(a) Deficiency appropriations for employee retirement benefits, an estimated deficiency in the 1962-1963 budgets for the recreation fund, for the state hospital and for the prison industries totaling 812 thousand 700 dollars.

(b) 430 thousand dollars debt service in 1964-1965 required by a proposed 20 million dollar educational bond authorization.

(c) 388 thousand dollars to cover New Hampshire's participation in the construction and operation of the New England Building at the New York World's Fair.

(d) Total estimated commitments — 1 million 630 thousand, 700 dollars.

Therefore, this leaves an estimated 585 thousand dollars balance available to cover legislative specials.

In order to protect the enviable credit rating enjoyed by the state as evidenced by the favorable low interest rate obtained on our bond offerings, and in order to maintain a balanced budget, it is recommended that the legislature not exceed the estimated 585 thousand dollars of funds available for legislative specials. If appropriations are made beyond this amount, a

source of additional funds must be found to cover the additional expenditures.

These are the hard facts of our financial situation and you and I must share the burden of facing them.

In exercising our fiscal responsibility, I believe that both the executive and legislative departments must relinquish desired objectives.

For my part realizing the heavy burdens of local taxation in our cities and towns I had earnestly hoped to return to local communities the proceeds of our state head tax in the amount of one and four tenths million dollars per year. To do this, however, at this time, would, as you can easily see, result in an unbalanced general fund budget. I am aware of the possible repercussions of this unhappy news.

But I take no apologetic position in this regard. Whether it be the urge of political expediency or the persuasiveness and loyalty to a party platform, when later circumstances indicate that these clash with the fiscal soundness of our state economy, then my choice is not that of political opportunism but of state interest. I shall stand on the side of those who upheld state interests irrespective of party or of politics. However, in the event funds become available for returning the revenues of head tax to the cities and towns then I shall be pleased to cooperate in this effort. To keep a balanced budget and to forestall the groundwork for any attempt to justify an onerous and vexatious sales tax, the proceeds of the head tax must presently be retained by the state. I shall not indulge in the fawning or transparent hypocrisy of telling you that it can be done at this time or paint for you a picture of our state economy that is prettier than the facts actually justify.

I would point out that our local communities can look forward to increased aid from the state in the form of a 20 million dollar bond issue for school construction which I shall recommend. Details of this proposal will be the subject of a special message to you at a later date. It should be noted that we have recommended in our budget debt service on this 20 million dollar bond issue and we recommend expenditure of this money at the rate of 3 million dollars per year.

Therefore, while our local communities may not be receiving the head tax proceeds of 1 and 4 tenths million dollars a

year, they will be the recipients of at least that amount from the recommended bond issue.

Like many of you, I had listened to much discussion of a 5 million dollar surplus which could be used to justify the return of the one and four tenths million dollar head tax annually to the cities and towns but an intelligent examination of finances, as I have outlined to you, indicates a cupboard that, if not bare, is close to it.

I am fully aware that this disclosure of our budget problems will increase the pressures for a general state sales tax.

I have in my office, scores of letters from individuals and groups who say they would enthusiastically assume the burdens of a sales tax. Some of these groups are organized, articulate and certainly financially able to assume the imposition of such a levy.

But in these days of comparative prosperity for many, you and I must remember there are still large numbers of our people who do not share in this prosperity. Many thousands of our people are struggling to make both ends meet. Too frequently both husband and wife must work to provide an adequate standard of living. The numbers of our aged who live on fixed and meagre incomes are increasing. These groups who would be hard hit by a sales tax are unorganized and inarticulate and frequently can not afford to voice their protests. These groups have no paid lobbyist and they look to you and me as their elected representatives to voice their plea and protect their interests.

If life's reality forces them to make sacrifices they understandably look to us to act in like manner in the operations of our state government.

You, our legislators, have sufficient time to scrutinize and weigh the details of this budget. I have faith in your soundness and thoroughness. As I stated in my inaugural address public office as a public trust equally includes the legislature and the executive. In our fiscal determinations we are a check upon one another. Knowing the legislative power to over-ride the executive you can also assume that I would utilize every power that my office possesses to insist upon a budget within the state's ability to pay. I have felt that if I am to insist upon such fiscal prudence I must provide you, at the earliest possible date, with



all of my budget and all of the information I have utilized in preparing the budget details.

New and expanded state services cannot be undertaken without additional revenue. The present budget has been prepared on the basis of current income. Planning in our democratic society should primarily be the translating of available income into reasonable and understandable choices, a rule which has become increasingly difficult when there is only so much money for competing and expanding, and new public services. Budget preparation is essentially the acceptance, rejection or modification of requested state services within available income.

I know that we shall continue to be a partnership in fiscal responsibility and legislative integrity. Our efforts must be concentrated in educating our young, in training our workers, in fully utilizing our natural resources, in intensifying our joint efforts to create jobs and improve our standard of living; in continuing to grow spiritually and culturally. The budget is not the key to all of these aspirations but it is an instrumentality of our government that can be used to mold its policies to encourage private enterprise and individual initiative, the most powerful forces ever known for stimulating cooperative efforts for the benefit of mankind.

This is our challenge. And in this, I tender you again my complete cooperation.

Thank you.

\* \* \*

On motion of Senator Lamontagne from the First District the Convention rose.

## House

### Leaves of Absence

Mr. Cobleigh of Nashua was granted leave of absence for the day on account of important business.

Messrs. Stevens of Epsom and Colbath of Dover were granted leave of absence for the day on account of illness.

Mrs. Marx of Langdon was granted leave of absence for the day on account of illness in the family.

### Introduction of Bills

The following House bills were severally introduced, read a first and second time, laid upon the table for printing and referred as follows:

HB 244. relative to fees for wholesaler and manufacturer of alcoholic beverages. (Grimes of Dover) to Liquor.

HB 245, relative to maintenance of bridges on Class II highways. (Hanson of Bow) to Public Works.

HB 246. relative to horse or pony pulling contests. (Murch of Portsmouth) to Agriculture.

HB 247, changing the name of Shaw's Pond in the town of New Durham to Pleasant View Lake. (Moulton of New Durham) to Resources, Rec. & Dev.

HB 248, requiring certain marking for so-called native farm products. (Purington of Exeter) to Agriculture.

HB 249. relative to the taking of wild black bear. (Thayer of Jefferson) to Fish & Game.

HB 250. relative to adoptions. (Pappagianis of Nashua) to Public Welfare & State Inst.

HB 251. relative to ice fishing. (Dame of Portsmouth) to Fish and Game.

HB 252, authorizing the establishment of conservation commissions by cities and towns. (Adams of Madbury, Purington of Exeter and Johnson of Hanover) to Resources, Rec. & Dev.

HB 253. relating to the qualifications of trustees and directors of certain banking institutions and credit unions. (Keough of Gorham) to Banks.

HB 254, relative to discrimination in the sale of beverages. (Remick of Tamworth) to Liquor.

HB 255, relative to the primary election in the city of Manchester. (Bernier and Cote of Manchester) to Manchester Delegation.

HB 256, authorizing retirement system for employees of the city of Berlin. (Fortier of Berlin) to Berlin Delegation.

HB 257, relative to railroad-highway grade crossings. (Coutermarsh of Lebanon) to Public Works.

HB 258, to increase the fees for licensing for propagation of fish and game by private persons. (Brown of Sandwich) to Fish and Game.

HB 259, to increase the fees for special fish and game licenses. (Hill of Conway) to Fish and Game.

HB 260, to establish a fee for importation of fish and game. (Vashaw of Berlin) to Fish and Game.

HB 261, to increase the fees for registration and licensing of guides. (Adams of Madbury) to Fish and Game.

\* \* \*

Mr. McMeekin of Haverhill moved that the order whereby HJR 11, providing an appropriation for the Civil War Centennial Commission, was referred to Executive Departments and Administration committee be vacated and that the bill be referred to Appropriations committee.

Motion was adopted.

### Committee Reports

HB 101, relating to municipal permits for registration, Mrs. Schwaner of Plaistow for the Municipal and County Government committee. Inexpedient to Legislate.

The resolution of the committee was adopted.

HB 49, relative to the removal, transportation and disposal of human or animal excrement and other putrescible material, Mr. Green of Rollinsford for Public Health. Ought to Pass with amendment.

### Amendment to HB 49

Amend the title of said bill by striking out the word "or animal" so that said title as amended shall read as follows: An act relative to the removal, transportation and disposal of human excrement and other putrescible material.

Amend paragraph I of 147:33 as inserted by section 1 of the bill by striking out the words "or animal" in the first line,

and the words, "or other warm blooded animal" in the fourth line, so that said paragraph as amended shall read as follows:

I. The terms "human excrement" and "other putrescible material" shall mean the liquid or solid waste matter discharged from the intestinal canal of man or other liquid or solid waste materials which are liable to undergo bacterial decomposition; provided, however, that these terms shall not include garbage as defined in RSA 147:24.

Amend section 147:34 as inserted by section 1 by striking out the words "or animal" in the fourth and fifth lines so that said section as amended shall read as follows: 147:34 Permit Required. Any person, firm, corporation, municipal subdivision or institution who removes, transports, or disposes, or intends to remove, transport or dispose of any human excrement or other putrescible material by portable or mobile container shall hold an unrevoked permit for that purpose from the division of public health services.

Amend 147:38 as inserted by section 1 of the bill by striking out the words "or animal" in the sixth line, so that said section as amended shall read as follows:

147:38 Denial, Suspension or Revocation of Permit. If, upon inspection, the division finds that any tank, wagon, tank truck, tank car, can or any other container or any equipment used or intended to be used for the purpose of removal or transportation of human excrement or other putrescible material does not conform to the regulations promulgated hereunder, or that such material is being disposed of in a manner contrary to such regulations, the applicant shall be denied a permit. If at any time after a permit has been granted the applicant fails to operate in the manner prescribed or with equipment failing to meet the requirements as prescribed by such regulations, the permit shall be revoked.

Amend 147:41 as inserted by section 1 of the bill by striking out the words "farmers hauling manure" in the third and fourth lines and inserting in place thereof, the words, individuals hauling animal or poultry manure for use as fertilizer, so that said section as amended shall read as follows:

147:41 Exemptions. The provisions of this subdivision shall not be applicable to persons hauling sludge from a public

sewage treatment plant or individuals hauling animal or poultry manure for use as fertilizer.

\* \* \*

The amendment was adopted.

Mr. Newell of Concord offered the following amendment:

### **Amendment to HB 49 (2)**

Amend paragraph 1 of RSA 147:33 as inserted by section 1 of said bill by striking out the word "liable" in the fifth line and inserting in place thereof the word, likely, so that the said paragraph shall read as follows:

I. The terms "human excrement" and "other putrescible material" shall mean the liquid or solid waste matter discharged from the intestinal canal of man or other liquid or solid waste materials which are likely to undergo bacterial decomposition; provided, however, that these terms shall not include garbage as defined in RSA 147:24.

\* \* \*

Mr. Newell of Concord explained his amendment.

The amendment was adopted and the bill was ordered to a third reading.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 18, An act relative to outdoor advertising.

HB 26, An act correcting references in statute providing for highway bond issue.

Mrs. Potter of Northumberland

### **Senate Messages**

The Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Concurrent Resolution relative to federal aid to schools.

*Whereas*, It seems possible that the federal Congress may authorize a program of federal grants for both higher education and public schools; and

*Whereas*, Any such program which is not properly circumscribed may lead to federal domination, control, and interference which will threaten academic freedom and the independence of our system of public education; and

*Whereas*, The withdrawal by the federal government of enormous revenues from the respective states and local communities has raised a question as to the ability to support education from state and local revenues; and

*Whereas*, There has been pending in the Congress for several sessions a bill for retention in and transfer to the states of one per cent of all federal income taxes collected in those states for use for educational purposes without any federal direction, control, or interference; therefore be it

*Resolved*, By the General Court of the State of New Hampshire that, if it is the decision of Congress to enact legislation providing general support for school or educational purposes to the several states, we do hereby petition the members of Congress to adopt legislation to provide that one per cent of all federal income taxes collected on individual and corporation incomes, after the pattern set out in H.R. 3236 of the 87th Congress of the United States, shall be deemed to be revenue of the state or territory within which it is collected for use for educational purposes only, without any federal direction, control, or interference; and be it further

*Resolved*, That district directors of internal revenue, before forwarding income tax collections to the federal treasury, be required to report and transfer said revenues quarterly to the state or territory of collection for such purpose; and be it further

*Resolved*, That a copy of this resolution be forwarded by the Secretary of State to each of the United States Senators and each member of Congress from New Hampshire.

Mrs. Brown of Sandwich moved that the House concur with the Honorable Senate.

The motion was adopted.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 13, An act relative to the salary of the treasurer of Rockingham County.

HB 110, An act relative to questions submitted to voters of the town of Meredith.

HB 11, An Act relative to meetings of highway agents for instruction.

\* \* \*

Mr. Hackett of Epping offered the following resolutions:

*Whereas*, Portsmouth Navy Yard has been considered the top ranking navy yard since the days of wooden ships, and

*Whereas*, It is of vast importance that this place be kept in operation particularly because it produces submarines which fire the polaris missiles, an important part in our country's defense, and

*Whereas*, Many of its employees have been threatened with layoffs at the yard due to lack of work, therefore be it

*Resolved*, that the House of Representatives of the General Court of New Hampshire requests that our Delegation in Washington, D. C., United States Senators Norris Cotton and Thomas J. McIntyre and Congressman James C. Cleveland and Louis C. Wyman, use their utmost endeavors to the end that the Portsmouth Navy Yard be kept in operation at full force, not only to supply our country with the needed submarines but to insure full time employment for our citizens, and be it further

*Resolved*, that copies of this Resolution be transmitted to each of the above named members of our Congressional Delegation.

The Resolutions were adopted

\* \* \*

Mr. Hill of Conway moved that the rules of the House be so far suspended as to permit introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

Mr. Pickett of Keene requested a division vote.

A division being had and 235 members having voted in the affirmative and 62 in the negative, the motion prevailed.

### Committee Report

HB 184, relative to the town of Wolfeboro, Mr. Hackler of Swanzy for Municipal and County Government. Ought to pass.

Messrs. Pickett of Keene and Pappagianis of Nashua spoke concerning suspension of the Rules.

Messrs. Claffin of Wolfeboro and Hill of Conway spoke in favor of the bill.

The bill was ordered to a third reading.

\* \* \*

The Chair announced that today is the 21st wedding anniversary of Mr. and Mrs. Vachon of Manchester.

\* \* \*

### Resolutions

Mr. Collishaw of Exeter for the Exeter Delegation offered the following Resolutions:

*Whereas*, Renfrew A. Thompson, a former Representative from Exeter, has passed away, and

*Whereas*, he also served as State Senator, was a member of the Governor's Council and a World War I veteran, therefore be it

*Resolved*, that we, the members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his Town, State and Country, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his daughter, Mrs. Priscilla J. Wade.



The Resolutions were unanimously adopted.

\* \* \*

Mr. Hutchinson of Chichester offered the following Resolutions:

*Whereas*, we have learned of the death of Leon A. Sanborn, a former representative from Chichester, and

*Whereas*, Mr. Sanborn served his town in many capacities and for many years as fire warden, always with the welfare of the community, the county and the state at heart, now therefore be it

*Resolved*, that we, the members of the House of Representatives of the General Court of New Hampshire, extend our heartfelt sympathy to his family in its bereavement, and be it further

*Resolved*, that the clerk of the House of Representatives transmit to the widow, Mrs. Sanborn, a copy of these resolutions.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Walsh of Manchester offered the following Resolutions for the Manchester Delegation:

*Whereas*, Jeremiah B. Healy, former Representative from Manchester, has passed away, and

*Whereas*, he was Clerk of Superior Court, Hillsborough County, for several years, therefore be it

*Resolved*, that we pay tribute to him for his services to his city, county and state, and be it further

*Resolved*, that we extend our heartfelt sympathy to his son, Robert Healy, and that the Clerk transmit to him a copy of these Resolutions.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Dumont and Mrs. Rubins of Rochester for the Rochester Delegation offered the following Resolutions:

*Whereas*, Sumner W. Watson, former Representative from Rochester, has passed away, and

*Whereas*, He also served his city as Mayor for three terms, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his son, Robert Watson.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Charland of Franklin offered the following Resolutions:

*Whereas*, James Burke, a former Representative from Franklin for several sessions, has passed away, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his service to his city and state, and be it further

*Resolved*, that a copy of these Resolutions be transmitted to his sister, Miss Bertha Burke.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Healy of Manchester offered the following Resolutions for the members of Ward 6 and the Manchester Delegation:

*Whereas*, John Callahan, a former Representative from Manchester for several sessions, has passed away, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay

tribute to our former Fellow Member for his service to his city and state, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be transmitted to his daughter, Mabel Callahan, for the family.

The Resolutions were unanimously adopted.

\* \* \*

Messrs. Cote and Bernier offered the following Resolutions for the Manchester Delegation:

*Whereas*, Joseph T. Compagna, former Representative from Manchester, Ward 8 for several sessions, has passed away, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his widow, Mrs. Ella P. Compagna.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Welch of Concord offered the following Resolutions for the Concord Delegation:

*Whereas*, Harold L. Barnard, former Representative from Concord, Ward 7, has passed away, and

*Whereas*, he was a former member of the N. H. Public Service Commission and a veteran of World War 1, U. S. Navy, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city, state and country, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his widow, Mrs. Barnard.

The Resolutions were unanimously adopted.

\* \* \*

Messrs. Dionne and Lavallee of Nashua offered the following Resolutions for the Nashua Delegation:

*Whereas*, Paul Kirkorian, former Representative from Nashua, has passed away, and

*Whereas*, he was a veteran of the U. S. Naval Service, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city, state and country, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his widow, Mrs. Kirkorian.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Peever of Salem offered the following Resolutions for the Salem Delegation:

*Whereas*, Arthur L. Morrill, father of Roy Morrill, Representative from Salem, has passed away, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby offer our heartfelt sympathy to our Fellow Member in his bereavement, and be it further

*Resolved*, that the Clerk transmit a copy of these Resolutions to him.

The Resolutions were unanimously adopted.

\* \* \*

Mrs. Cooper and Messrs. Dionne and Lavallee of Nashua offered the following Resolutions for the Nashua Delegation:

*Whereas*, Paul E. Bouthillier, representative from Nashua for more than twenty years, has passed away, and

*Whereas*, he was a veteran of World War 1, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city, state and country, and be it further

*Resolved*, that we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his daughter, Mrs. Peter P. Stukus.

The Resolutions were unanimously adopted.

\* \* \*

Mrs. Fogg of Milan offered the following Resolutions:

*Whereas*, Mrs. Grace Phelan, former Representative from Stark for two sessions, has passed away, and

*Whereas*, she received a citation for her work in the Legislature, now therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for her services to her town and state, and be it further

*Resolved*, that we extend our heartfelt sympathy to her family in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to her husband, George J. Phelan.

The Resolutions were unanimously adopted.

\* \* \*

Mr. Rufo of Concord offered the following Resolutions for the Merrimack County Delegation:

*Whereas*, Mrs. Grace Asby, mother of William D. Asby, Representative from Canterbury, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the General Court of New Hampshire, hereby offer our heartfelt sympathy to our Fellow Member in his bereavement, and be it further

*Resolved*, that the Clerk transmit a copy of these Resolutions to him.

The Resolutions were unanimously adopted.

\* \* \*

Messrs. Sherman and Shute of Lancaster offered the following Resolutions:

*Whereas*, Louis E. Bragg, former Representative from Lancaster, has passed away, and

*Whereas*, he was Chairman of the Board of Trustees of Glenclyff Sanatorium for several years, a member of the State Tuberculosis Committee and a member of the Colonel Towne Spending Committee in Lancaster, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, that we extend our heartfelt sympathy to his family in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his son, Richard J. Bragg.

The Resolutions were unanimously adopted.

Mr. Hambleton of Goffstown offered the following Resolutions for the Goffstown Delegation:

*Whereas*, Judge Alfred W. Poore, Sr., former Representative from Goffstown for several sessions, has passed away, and

*Whereas*, he was the first justice of the Goffstown Municipal Court, a position he held for thirty-five years, and Town Moderator for twenty-eight years, now therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, that we extend our heartfelt sympathy to his family in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his son, Alfred W. Poore, Jr.

The Resolutions were unanimously adopted.

\* \* \*

The Chair announced that February 18th was the birthday of Mr. Peever of Salem and Mr. Casey of Manchester.

\* \* \*

The House joined in singing Happy Birthday for Joe Giesel, led by Mr. Bouvier of Swanzey.

### **Committee Appointment**

Miss Cole of Nashua to Public Welfare and State Institutions.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 49, relative to the removal, transportation and disposal of human excrement and other putrescible material.

HB 184, relative to the town of Wolfeboro.

\* \* \*

On motion of Mrs. Berry of Barrington the House adjourned at 1:00 P.M.

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TUESDAY, FEBRUARY 19, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Shine upon us, O LORD, thou one true light, as we attend to our sacred responsibilities of leadership in our communities and in our state. Illuminate our pathway as we strive through the darkness of doubt and indecision, seeking the dawn of wisdom, and the light of truth. Deliver us from all selfishness and confirm us in our joint endeavors for the common good as we weigh the many issues committed to our trust for faithful and just solution. Continue Thy blessing, through Thy loving care, upon our Governor, his Council, and the members of this Joint Convention as they faithfully discharge the duties of their office. May their every action both guard and preserve the liberty and freedom which Thou, O Lord, hast granted unto us. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Hayward of Milford led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of Girl Scouts from Milford, courtesy of the Milford Delegation.



### Leaves of Absence

Mrs. Parks of Lyme and Messrs. Peaslee of Concord, Clement of Rochester, Lacaillade of Laconia and Kelley of Littleton were granted leave of absence for the week on account of illness.

Mrs. Marx of Langdon was granted leave of absence for the week on account of illness in the family.

Miss Faulkner of Keene and Messrs. Morrill of Salem, Casassa of Hampton, and Lavasseur of Manchester were granted leave of absence for the day on account of illness.

Messrs. Watkinson of Fitzwilliam and Purington of Exeter were granted leave of absence for today and Wednesday on account of illness.

Mrs. Russell of Keene was granted leave of absence for the day on account of a death in the family.

Mr. Haseltine of Merrimack was granted a leave of absence for two weeks on account of military duty.

Mr. Moran of Manchester was granted leave of absence for the day on account of important business.

Mr. Gauthier of Manchester was granted an indefinite leave of absence on account of illness.

### Introduction of Bills

The following bills were introduced, read a first and second time, laid on the table for printing, and referred as follows:

HB 262, relative to temporary employees of the department of public works and highways. (McGee of Lincoln) to Executive Departments and Administration.

HB 263, establishing the Haverhill Union School District. (McMeekin of Haverhill) to Education.

HB 264, relative to qualification by school districts for state financial aid. (Stevenson of Bethlehem) to Education.

HB 265, to provide funds for the preparation of property maps. (Kimball of Derry) to Appropriations.

HB 266, relative to the Belknap county recreational area. (O'Shan of Laconia) to Belknap Delegation.

HB 267, changing the name of the New Hampshire State Hospital. (MacDonald of Concord) to Public Welfare and State Institutions.

HB 268, providing for the classification of the waters of Newfound Lake. (Plumer of Bristol) to Resources, Recreation and Development.

HB 269, relative to the amount of annual memberships paid by towns to town officers' associations. (Hill of Conway) to Municipal and County Government.

HB 270, relative to use of poisons for the control of certain birds. (Hanson of Bow) to Fish and Game.

HB 271, prohibiting misuse of boat registration plates. (Canty of Salem) to Resources, Recreation and Development.

HB 272, relative to outstanding state checks. (Clement of Rochester) to Executive Departments and Administration.

HB 273, relating to investments of savings banks. (Stevens of Epsom) to Banks.

HB 274, relative to fishing without license by patients at veterans hospitals. (Feldman of Manchester) to Fish and Game.

HB 275, relative to taxation exemption for disabled veterans. (Gay of Derry) to Ways and Means.

HB 276, relative to the sale of certain animals and birds. (Murch of Portsmouth) to Fish and Game.

HB 277, relative to limitation on appropriations in towns adopting the municipal budget act. (Hanson of Bow and Robinson of Pembroke) to Municipal and County Gov.

HB 278, relative to the definition of resident under the fish and game laws. (McMeekin of Haverhill) to Fish and Game.

HB 279, relative to the penalty for escape from houses of correction. (McMeekin of Haverhill) to Judiciary.

HB 280, providing for a constitutional convention. (Stevens of Epsom) to Judiciary.

HB 281, relative to the remodeling of certain buildings and the construction of a new greenhouse at the University of New Hampshire. (Purington of Exeter) to Education.

HB 282, to provide for cumulative pocket supplements for Revised Statutes Annotated. (Totman of Alstead) to Judiciary.

HB 283, relative to taxation of real estate. (Allen of Rindge and Hackler of Swanzey) to Ways and Means.

HB 284, relative to the department of agriculture and to the agricultural advisory board (Stevens of Epsom) to Agriculture.

HB 285, relative to investments for savings banks. (Hambleton of Goffstown) to Banks.

HB 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester. (Ainley of Manchester) to Manchester Delegation.

HB 287, relating to the licensing of auctioneers. (Marsan of Rochester) to Exec. Departments and Administration.

HB 288, relative to operation of motor vehicles when blind persons are crossing a way. (O'Shan of Laconia) to Transportation.

HB 289, providing for seasons for the taking of deer. (Gilman of Franklin) to Fish & Game.

HB 290, relative to the retirement age for state employees under the state employees' retirement system. (Angus of Claremont) to Exec. Depts. & Administration.

HB 291, changing the name of Rocky pond in the town of Gilmanton to Garry lake. (Plourde of Pembroke) to Res., Rec. & Dev.

HB 292, relative to possession of big game animals taken outside the state. (Moore of Bradford) to Fish and Game.

HB 293, abolishing capital punishment. (Normandin of Laconia) to Judiciary.

HJR 17, relative to an inventory of real property owned by the state. (Bevan of Durham) to Exec. Depts. & Adm.

HJR 18, in favor of John Wakefield. (Thompson of Northfield) to Claims.

Mr. Henry of Concord moved that the rules of the House be so far suspended as to dispense with the printing of HJR 18.

The Clerk read the Resolution in full.

**HJR 18, in favor of John Wakefield.**

The sum of one hundred and sixteen dollars and eighty-five cents is hereby appropriated to reimburse John Wakefield of Northfield for damages to his motor vehicle caused by an accident which occurred October 28, 1962, due to rock in the highway. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The motion was adopted.

**Committee Reports**

Resignation of Ellis Ayre of Laconia, Mr. Johnson of Hanover for Elections Committee. Resignation be accepted.

The resignation was accepted.

HJR 5, providing funds for payment of the expenses of binding and distributing the journal of the 1959 session of the constitutional convention, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The resolution was adopted.

HB 105, relative to election printing by the secretary of state, Mr. Smith of Concord for Executive Departments and Administration. Ought to pass with amendment.

**Amendment to HB 105**

Amend section 1 of the bill by striking out the words "and in connection with printing of the session laws" in the sixth and seventh lines, so that said section as amended shall read as follows: 1 Secretary of State. Amend RSA 56 by inserting after section 8 the following new section: 56:8-a Printing. The secretary of state is authorized to contract for printing in connection with his duties under the election laws. The provisions of RSA 8 relative to competitive bidding for state purchases shall not apply to contracts entered into by the secretary of state hereunder.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 67, relative to the advisory commission of the department of resources and economic development, and transfers

within said department, Mrs. Marx of Langdon for Executive Departments and Administration. Inexpedient to legislate.

Mr. Newell of Concord moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Newell withdrew his motion.

Mr. McMeekin of Haverhill moved that HB 67 be recommitted to the committee on Executive Departments and Administration.

The motion was adopted.

HB 128, increasing the authority of the New Hampshire Congregational-Christian Conference to hold property, Mr. Lamprey of Tuftonboro for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 104, relative to advisory commission and transfer of powers under the department of health and welfare, Mr. Langford of Raymond for Executive Departments and Administration. Inexpedient to legislate.

On motion of Mr. McMeekin of Haverhill HB 104 was recommitted to Executive Departments and Administration committee.

HB 122, relating to redemption of specific devises, Mr. Upon of Concord for Judiciary. Ought to pass with amendment.

### **Amendment to HB 122**

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect on all wills executed after September 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 164, providing for recompilation of volume 2 of the Revised Statutes Annotated, Mr. Wildey of Westmoreland for Judiciary. Ought to pass with amendment.

**Amendment to HB 164**

Amend section 3 of said bill by striking out the word "seven" in the twenty-fourth line and inserting in place thereof the word, fourteen, so that said section as amended shall read as follows:

3 Distribution. The secretary of state is authorized to distribute official bound copies of replacement volumes 2 and 2A of the Revised Statutes Annotated free of charge in the following manner: One copy to each of the following officers and bodies: The governor, the president of the senate, the speaker of the house, the members of the New Hampshire Revision Commission, each justice and clerk of the supreme and superior courts, each court of probate, the clerk of the supreme court of the United States, each judge of the circuit court of the United States for this district, the district court of the United States for this district, the United States department of justice, the Library of Congress, the New Hampshire Historical Society, the state reporter, a sufficient number of copies to the state library for its use and for distribution to each state or territorial library of the United States on an exchange basis, any state or territory making a charge to this state for copies of its laws shall in a like manner be required to pay to the secretary of state the regular price for copies of replacement volumes 2 and 2A of the Revised Statutes Annotated, the secretary of state, the state treasurer, the comptroller and fourteen copies to the office of the attorney general.

\* \* \*

The amendment was adopted and the Chair referred HB 164 to Appropriations under the Rules.

HB 168, relative to the Mascoma Valley Regional School District, Mr. Bednar of Hudson for Municipal and County Government. Ought to pass with amendment.

**Amendment to HB 168**

Amend said bill by inserting after section 3 the following new section:

4 State Aid. The Mascoma Valley Regional School District shall receive and be credited with the total amount of state aid, provided by RSA 198:8, 9, and 10 to which pupils attending the cooperative district would have entitled the pre-

existing districts, had they remained in the pre-existing districts.

Further amend said bill by renumbering section 4 to read section 5.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 6, relative to membership of the cancer commission, Mr. Green of Rollinsford for Public Health. Ought to pass.

The bill was ordered to a third reading.

\* \* \*

Mr. Hancock of Concord moved that the order whereby HB 227, relative to taxation of life insurance companies, was referred to the committee on Insurance, be vacated and that the bill be referred to the committee on Ways and Means.

The motion was adopted.

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Concurrent Resolution regarding Joint Study Committee on Capital needs for educational institutions.

*Resolved* by the House of Representatives the Senate concurring:

That the House and Senate committees on Education act as a joint committee to make a study of the possible capital needs for the educational institutions, including the University, the Teachers Colleges and the Technical Institutes, for a 15 years period. Said special committee shall make a report of its findings to the 1963 session of the general court. Said report shall be filed on or before May 15, 1963.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 5, relative to physicians and surgeons, fees for examinations for practice.

HB 24, relative to toilet facilities for restaurants and other establishments where food is served.

HB 1, relative to exemption from liability in certain cases under the civil defense act.

HB 23, relative to Concord Female Charitable Society.

HB 59, requiring cities and towns to provide adequate courtrooms for municipal courts.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 1, An act relative to exemption from liability in certain cases under the civil defense act.

HB 11, An act relative to meetings of highway agents for instruction.

HB 13, An act relative to the salary of the treasurer of Rockingham County.

HB 23, An act relative to Concord Female Charitable Society.

HB 24, An act relative to toilet facilities for restaurants and other establishments where food is served.

HB 59, An act requiring cities and towns to provide adequate courtrooms for municipal courts.

HB 110, An act relative to questions submitted to voters in the town of Meredith.

Mrs. Potter of Northumberland and  
Mr. York of Concord

\* \* \*

The Chair announced that today is the birthday of Mr. Stafford of Portsmouth.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order this after-



noon at 3:00 to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

SB 6, relative to the membership of the cancer commission, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 168, relative to the Mascoma Valley Regional School District.

HB 122, relating to redemption of specific devises.

HB 128, increasing the authority of the New Hampshire Congregational Christian Conference to hold property.

HB 105, relative to election printing by the secretary of state.

HJR 5, providing funds for payment of the expenses of binding and distributing the journal of the 1959 session of the constitutional convention.

\* \* \*

On motion of Mrs. Blanchette of Dover the House adjourned at 12:06 P.M.

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WEDNESDAY, FEBRUARY 20, 1963

The House met at 11:00 A.M.

#### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Almighty and Everlasting God, our Heavenly Father, who hast led us through the storm and sunshine, bringing us in

safety to the beginning of this day; let Thy love and patience be shown forth in our lives and conversation, Thy tenderness and compassion in our words and actions. For the duties of this day — strengthen us with blessings from on high, that, through Thine own enabling power — whatever of good has been cast down may be raised up, whatever of truth has grown old may be made new, and that all things may advance unto perfection, when the kingdoms of this world shall have become the Kingdom of our Lord and of His Christ, and He shall reign forever and ever. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Bigelow of Warner led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced a group of High School seniors from all over the state.

### **Leaves of Absence**

Mr. Morrill of Salem was granted leave of absence for today and Thursday on account of illness.

Mr. Shea of Ward 1, Keene, was granted an indefinite leave of absence on account of important business.

Messrs. Green of Rollinsford and Underwood of Chester were granted leave of absence on account of inclement weather.

Mrs. Rubins of Rochester and Messrs. Pratt of Keene and Casassa of Hampton were granted leave of absence for the day on account of illness.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing, and referred as follows:

HB 294, relative to the taxation of boats and unrefunded motor vehicle road tolls. (Goodhue of Gilford) to Ways and Means.

HB 295, relative to the taxation of horses. (Hutchinson of Chichester) to Ways and Means.

HB 296, to adjust classified salaries of state employees. (Stafford of Laconia) to Executive Departments and Administration.

HB 297, authorizing the town of Salem to provide life and health insurance for its employees. (Peever and Grant of Salem) to Municipal & County Gov.

HB 298, relative to the sale of liquor and beverages in private clubs. (Plourde of Pembroke) to Liquor.

HB 299, relating to municipal budgets. (Bednar of Hudson) to Municipal & County Government.

HB 300, authorizing Clifford R. Lizotte to apply for the so-called Korean bonus. (Angus of Claremont) to Claims.

\* \* \*

Mr. Henry of Concord moved that the rules of the House be suspended as to dispense with printing of HB 300.

The Clerk read the bill in full.

HB 300, An act authorizing Clifford R. Lizotte to apply for the so-called Korean bonus.

*Be it Enacted* by the Senate and House of Representatives in General Court convened:

1 Application Authorized. Notwithstanding the provisions of 1955, 286:8-a as inserted by 1957, 5:4, Clifford R. Lizotte is hereby authorized to make application to the adjutant general for benefits authorized by 1955, 286 as amended; and if the said Clifford R. Lizotte shall be found qualified for said benefits, he shall be paid the same, such payment to be a charge upon funds in the treasury not otherwise appropriated.

2 Takes Effect. This act shall take effect sixty days after its passage.

The motion was adopted.

\* \* \*

HB 301, changing the location of the present deer line. (Rousseau of Manchester) to Fish and Game.

HB 302, relative to the state board of conciliation and arbitration. (Angus of Claremont) to Labor.

HB 303, naming the technical institute for former congressman Chester E. Merrow and providing for a portrait of Mr. Merrow. (Sanders of Concord) to Education.

HB 304, legalizing the proceedings of the meeting of the Hillsborough county delegation held on January 9, 1963. (Pickering of Hancock, Edwards of Antrim) to Mun. & Cty. Gov.

\* \* \*

Mr. Kearns of Manchester moved that the rules of the House be so far suspended as to dispense with printing of HB 304, legalizing the proceedings of the meeting of the Hillsborough county delegation.

The Clerk read the bill in full.

HB 304, An act legalizing the proceedings of the meeting of the Hillsborough county delegation held on January 9, 1963.

*Be it Enacted* by the Senate and House of Representatives in General Court convened:

1 Proceedings Legalized. The proceedings of the meeting of the Hillsborough county delegation held at the state house in Concord on January 9, 1963 are hereby legalized, ratified and confirmed.

2 Takes Effect. This act shall take effect sixty days after its passage.

The motion was adopted.

\* \* \*

HB 305, making additional appropriations for prison industries. (Rules Committee — Peever of Salem) to Appropriations.

HB 306, establishing a state-wide library development program. (Peterson of Peterborough) to Executive Departments & Adm.

### Committee Reports

HB 121, relative to the construction of physical education facilities at the University of New Hampshire, Mrs. Demers of Lebanon for Education. Ought to pass.

The Chair referred HB 121 to Appropriations under the Rules.

HJR 6, relative to the operating expenses of educational television station, WENH, Channel 11, Durham, Mrs. Demers of Lebanon for Education. Ought to pass.

The Resolution was referred to Appropriations under the Rules.

HB 96, authorizing pari-mutuel pools on jai alai, Mr. Bevan of Durham for Ways and Means. Inexpedient to legislate.

Mr. Feldman of Manchester moved that HB 96 be made a Special Order of business for Wednesday next at 11:01 A.M. and spoke in favor of the motion.

Mr. Larty of Haverhill spoke against the motion.

(discussion ensued)

The motion was not adopted.

Mr. Feldman of Manchester moved that HB 96 be recommended to Ways and Means committee and spoke in favor of the motion.

The motion was not adopted.

The question now being on the resolution of the committee.

Mr. Bevan of Durham spoke in favor of the resolution.

Mr. Stafford of Laconia moved that further consideration of HB 96 be Indefinitely Postponed.

Mr. Feldman of Manchester spoke against the motion.

The motion to indefinitely postpone HB 96 prevailed.

### Special Order for 11:01

HB 31, relative to the repeal of the school per capita tax.

Question being on the report of the committee that the bill is Inexpedient to Legislate.

Mr. Plumer of Bristol moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Larty of Haverhill spoke against the motion.

Mr. O'Neil of Chesterfield spoke against the motion.

(discussion ensued)

Mr. Pickett of Keene moved that HB 31 be made a Special Order for 11:01 April 24, and spoke in favor of the motion.

Mr. Plumer of Bristol spoke in favor of the motion.

(discussion ensued)

The motion was adopted.

\* \* \*

Mr. Chamberlin of Bath moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days and that HB 225 be acted on at the present time.

Mr. Claflin of Wolfeboro spoke in favor of the motion.

Mr. Pickett of Keene spoke in favor of the motion.

The motion was adopted.

### **Committee Report**

HB 225, to legalize the proceedings of a special meeting of the Wolfeboro School District, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was ordered to a third reading.

### **Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 7, increasing the salary of the Hillsborough County Attorney.

### **Introduction of Senate Bill**

SB 7, increasing the salary of the Hillsborough County Attorney, was read a first and second time and referred to the Hillsborough County Delegation.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

HB 184, An act relative to the town of Wolfeboro.

HJR 4, Joint Resolution in favor of Lucille Webb.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 5, An act relative to physicians and surgeons, fees for examinations for practice.

Mrs. Potter of Northumberland

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### **Afternoon Session**

#### **Third Reading**

HB 225, to legalize the proceedings of a special meeting of the Wolfeboro School District, was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

On motion of Mrs. Richardson of Dover the House adjourned at 12:22 P.M.

THURSDAY, FEBRUARY 21, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Gracious Father, grateful are we for Thy loving care through these days of challenge. Watch over us while we are absent, one from another. Reunite us on the dawn of another week of labor — refreshed and strengthened. Teach us how to value Thy wisdom as we humbly strive to make our laws like unto those of Thy promised Kingdom. Keep us safe from the evils that would corrupt our society, destroy our nation, and endanger the rights of men. Instill within our hearts the sense of purpose and mission as we plead the just causes of men. Forgive us when we stumble in the darkness while searching for Thy light of truth. Help us to lay aside the peripheral issues and let us strike the true course in our journey of service. Grant unto our leadership and our workers Thy blessing for their faithfulness to duty and willingness to serve. Send Thy continuing blessing upon the homes and families of those represented here; In Thy name we pray — Amen.

### **Pledge of Allegiance to the Flag**

Mr. Shindledecker of Hampton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mr. Asby of Canterbury was granted an indefinite leave of absence on account of important business.

Mr. Watkinson of Fitzwilliam was granted a leave of absence for the day on account of illness.

Messrs. Newell of Concord and Spanos of Newport were granted leave of absence for the day on account of important business.



### Introduction of Bills

The following bills were introduced, read a first and second time, laid on the table for printing, and referred as follows:

HB 307, relative to salary of the sheriff of Rockingham county. (Vey of Brentwood) to Rockingham Del.

HB 308, relative to taxation of property moved into town after April first. (Hill of Conway) to Ways and Means.

HB 309, to grant the tax units within the state authority to assess state-owned lands and collect taxes therefrom. (Thompson of Wilmot and Mrs. Greene of Rye) to Ways and Means.

HB 310, relative to taxation of trailers on land owned by another. (Hill of Conway) to Ways and Means.

HB 311, relative to licensed practical nurses. (Cavalieri of Portsmouth) to Public Health.

HB 312, relative to the salary of the justice of the Manchester municipal court. (Ainley of Manchester) to Manchester Delegation.

HB 313, relative to the bank advisory board. (Moran of Manchester) to Banks.

HB 314, relative to issues of law arising in municipal courts. (Moran of Manchester) to Judiciary.

HB 315, relative to marking fishing holes cut in ice on Great Bay. (Barker of Stratham) to Fish and Game.

HB 316, relative to the taking of pheasants. (Gilman of Franklin) to Fish and Game.

HB 317, providing additional retirement allowances for certain retired teachers. (Bell of Plymouth) to Exec. Depts. and Adm.

HB 318, relative to branch banking and bank holding affiliates. (Stevens of Epsom and Desnoyer of Claremont) to Banks.

HB 319, relative to the taking of salmon. (Claffin of Wolfeboro) to Fish & Game.

HB 320, relating to packages containing bread, cake or doughnuts. (Dupont and Dion of Manchester) to Public Health.

HB 321, relative to the deposit of securities by domestic life insurance companies. (Bingham of Concord) to Insurance.

HB 322, relative to real estate owned by domestic life insurance companies. (Bingham of Concord) to Insurance.

### Committee Reports

HB 91, relative to copies of the school laws, Mrs. Demers of Lebanon, for Education. Inexpedient to Legislate.

The resolution was adopted.

HB 89, relating to the exemption from property taxes of certain parts of the state airways system, Mr. Casey of Manchester for Ways and Means. Ought to pass with amendment.

### Amendment to HB 89

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Exemption from Property Tax. Amend RSA 72 (supp) as amended by 1957, 299:1 by inserting after section 37 the following new section: 72:38 Exemption for Aviation Facilities. A town, by vote of a majority of those present at any regular town meeting, acting under an article duly incorporated in the warrant for said meeting, and a city, by vote of the governing body thereof, may exempt the owner of a privately owned air navigation facility available for public use without charge, who holds as of April first of any year a certificate for such facility from the New Hampshire aeronautics commission that the facility is necessary for the maintenance of an effective airway system, from taxation of such facility for each such year. For the purposes of this section the term air navigation facility includes all the surfaces of an airport encompassed within the principal boundaries that is maintained and available for the take-off, landing, taxiing, and open air parking of an aircraft using said airport, any air navigation or communications facility associated with the airport and any passenger terminal building available for public use without charge.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### Senate Message

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

HB 168, relative to the Mascoma Valley Regional School District.

HB 78, legalizing action taken at a special meeting in the town of Littleton.

### Report of Committee on Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 78, An act legalizing action taken at a special meeting in the town of Littleton.

HB 168, An act relative to the Mascoma Valley Regional School District.

HB 184, An act relative to the town of Wolfeboro.

SB 6, An act relative to membership of the cancer commission.

HJR 4, Joint Resolution in favor of Lucille M. Webb.

HB 117, An act relative to method of adopting zoning ordinances.

Mrs. Potter of Northumberland

\* \* \*

Mr. Larty of Haverhill moved that the order whereby HB 241, limiting authority of state agencies, was referred to Ways and Means be vacated and the bill be referred to Executive Departments and Administration.

The motion was adopted.

### Resolutions

Mr. Johnson of Rochester offered the following resolutions:

*Whereas*, Warren H. Reid, a former Representative from Milton, has passed away, and

*Whereas*, He also served as Trustee of Milton Mills Public Library, a former ballot clerk and a World War I veteran, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his Town, State and Country, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his widow, Mrs. Warren H. Reid.

The resolutions were unanimously adopted.

\* \* \*

Messrs. Ballam and Smith of Walpole offered the following Resolutions:

*Whereas*, Arthur H. Chickering, Jr., former Representative from Walpole, has passed away, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Member for his services to his town and state, and be it further

*Resolved*, that we extend our heartfelt sympathy to his family in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be sent to his wife, Mrs. Arthur H. Chickering, Jr.

The resolutions were unanimously adopted.

Mr. Maglaras from Dover offered the following resolutions for the Dover Delegation:

*Whereas*, W. Raymond Stackpole, a former Representative from Dover, has passed away, and

*Whereas*, He also served as City Councilman for several terms, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute

to our former Fellow Member for his services to his City and State, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his widow, Mrs. Stackpole.

The resolutions were unanimously adopted.

### Recess

### After Recess

### Senate Message

The Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

### Concurrent Resolution

*Be it resolved* by the Senate, the House of Representatives concurring, that the President of the Senate and the Speaker of the House be empowered to designate two members of their respective bodies, one from each of the major parties, to proceed to Washington to find out once and for all what the federal government would do in the event that lottery or sweepstake tickets issued in New Hampshire were found in neighboring states.

\* \* \*

Mr. Stevenson of Bethlehem moved that the concurrent resolution be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

(discussion ensued)

Mr. Larty of Haverhill spoke in favor of the motion.

The motion was adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00

this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

### Afternoon Session

The Chair announced that tomorrow was the birthday of Mr. Desnoyer of Claremont.

### Third Reading

HB 89, relating to the exemption from property taxes of certain parts of the state airways system, was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

On motion of Mrs. Clark of Lee the House adjourned at 12:14 P.M.

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TUESDAY, FEBRUARY 26, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O Father of Eternal Wisdom and Strength, who hast created and sustained all of life with Thy merciful love, may our hearts be warmed by Thy presence this day. Direct our energies in the creative patterns of truth — endowing Thy servants with courage to withstand the storms of pressure. Let our nation be exalted in righteousness — purge us from all that would profane freedom's holy light. Free us from all selfishness that would destroy our efforts to preserve our commonwealth. Grant unto our executive and legislative leadership an ebullient spirit as they strive to guide us through this session. Enable us to work effectively and efficiently at our appointed tasks while we examine each and every issue that confronts us. May our minds

be kept free from the recital of endless details, as we constantly maintain the confidence of those whom we represent through our honest efforts. Inspire us to build our earthly kingdom upon the truth of Thy word as we bear this witness in our daily life. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Goodfellow of Dorchester led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mrs. Rubins of Rochester and Messrs. Beard of Lebanon and Boutin of Benton were granted leave of absence for the day on account of illness.

Messrs. Willey of Campton, Thibeault and Chartrain of Nashua were granted an indefinite leave of absence on account of illness.

Mrs. Potter of Northumberland and Messrs. Prescott of Laconia, Kelley of Littleton, Casassa of Hampton, and Bowles of Easton were granted leave of absence for the week on account of illness.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing, and referred as follows:

HB 323, providing for a secretary for the sheriff of Strafford county. (Grimes of Dover, Ward 2) To Strafford County Del.

HB 324, establishing the standard time. (Bergeron of Manchester, Ward 10) To Judiciary.

HB 325, providing for an additional reviewing appraiser in the department of public works and highways. (Taft of Greenville) to Public Works.

HB 326, relative to establishing a young boatman's training program. (Brown of Sandwich) to Resources, Rec. & Dev.

HB 327, relating to education of children residing on state-owned property. (Littlehale, Bevan and Crouch of Durham) to Public Welfare and State Inst.

HB 328, relative to termination statements under the uniform commercial code. (Palmer of Kensington) to Judiciary.

HB 329, relative to initial registration plates for boats. (Brown of Sandwich) to Res., Rec. & Dev.

HB 330, relative to the appointment of a deputy treasurer for the county of Rockingham. (Wheeler of Exeter) to Rockingham Del.

HB 331, relative to audit of county books by tax commission. (Wheeler of Exeter) to Municipal and County Government.

HB 332, relative to the practice of dentistry and registration provisions. (Hartigan of Rochester, Ward 2) to Public Health.

HB 333, relating to curfew regulations. (Rubins of Rochester, Ward 3, Hartigan of Rochester, Ward 2) to Judiciary.

HB 334, imposing a tax on income derived from the sale of real estate. (Kimball of Manchester, Ward 2) to Ways and Means.

HB 335, relating to the discharge or removal from office of county employees. (Rufo of Concord, Ward 9, Upton of Concord, Ward 2) to Municipal and County Gov.

HB 336, fixing the compensation of moderators in the city of Manchester. (Dion of Manchester, Ward 3, Dupont of Manchester, Ward 6) to Manchester Del.

HB 337, relating to hours of labor, one day rest in seven, and payment of wages. (McGee of Lincoln) to Labor.

HB 338, relative to licensing of schools and shops for hairdressers and manicurists. (Underhill of Nashua) to Public Health.

HB 339, relative to assessing abutters for sidewalks. (Ainley of Manchester) to Public Works.

HB 340, relative to mileage rate for all state employees using privately owned passenger vehicles. (Sheridan of Berlin) to Exec. Depts. & Adm.



HB 341, relating to the apportionment of costs of construction and protection of railroad-highway grade crossings. (Coutermarsh of Lebanon) to Transportation.

HB 342, relative to the laying out of class IV, V and VI highways by cities and towns. (Gove of Concord) to Public Works.

HB 343, establishing minimum standards for mobile homes under city building codes. (Gove of Concord) to Judiciary.

HB 344, relating to school building aid. (Schwaner of Plaistow) to Education.

HB 345, prescribing the time within which certain articles for the warrant are to be presented. (Bednar of Hudson) to Judiciary.

HB 346, relative to the authority of police employees. (McGee of Lincoln) to Judiciary.

HB 347, relating to state stores and licenses premises. (Bigelow of Warner) to Liquor Laws.

HB 348, to authorize banks to invest in service corporations. (Reddy of Hopkinton) to Banks.

HB 349, relative to photographic copies as evidence. (Reddy of Hopkinton) to Judiciary.

HB 350, relative to salaries of certain legislative attaches. (McMeekin of Haverhill) to Exec. Depts. and Adm.

HB 351, relative to vehicles of non-residents not regularly used on highways. (Shepard of Londonderry and Blake of Madison) to Transportation.

### **Committee Reports**

HB 120, relative to the enforcement of laws concerning cruelty to animals, Mr. Adams of Seabrook for Agriculture. Ought to pass.

The bill was ordered to a third reading.

HB 144, relative to retired members of the policemen's retirement system, Mr. Cote of Manchester for Executive Departments and Administration. Ought to pass.

HB 144 was ordered to Appropriations under the Rules.

HB 162, providing for certain deductions from retirement benefits for policemen, Mr. Sherman of Lancaster for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 158, relative to increasing certain penalties, Mr. Spanos of Newport for Judiciary. Inexpedient to Legislate.

The resolution was adopted.

HB 160, relative to fixing penalties for indecent exposure, Mr. Spanos of Newport for Judiciary. Inexpedient to Legislate.

The resolution was adopted.

HB 124, providing a penalty for falsely reporting a bomb scare, Mrs. Frizzell of Charlestown. Ought to pass.

The bill was ordered to a third reading.

Concurrent Resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to Article V thereof, Mrs. Ainley of Manchester for Judiciary. Ought to pass.

The concurrent resolution was adopted.

SB 9, to legalize the proceedings of special meetings of Hopkinton Village Precinct on July 31, 1962 and September 5, 1962, Mr. Todd of New Boston for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 146, relative to the classification of a highway in the town of Groton, Mr. Plumer of Bristol for Public Works. Inexpedient to Legislate.

The resolution was adopted.

HB 163, relative to rehabilitation of covered wooden bridges, Mr. Young of Rye for Public Works. Ought to pass.

The bill was ordered to a third reading.

HB 129, relative to the sale of liquor and beverages in first class hotels, Mr. Blanchard of Jackson for Liquor Laws. Ought to pass.

The bill was ordered to a third reading.

### **Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 15, relative to requirements for licenses under small loans act.

### **Introduction of a Senate Bill**

SB 15, relative to requirements for licenses under small loans act, was read a first and second time and referred to Judiciary.

\* \* \*

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 5, in favor of Joseph W. Ryan.

### **Introduction of a Senate Joint Resolution**

SJR 5, in favor of Joseph W. Ryan, was read a first and second time and referred to Claims and Aeronautics.

\* \* \*

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 4, An act relative to the disposal of papers and records for department of public works and highways.

Amend the first three lines of section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Public Works and Highways. Amend RSA 229:17 (supp) as amended by 1957, 260:2 by striking out said section and inserting in place thereof the following: 229:17

Further amend section 1 of said bill by striking out the word "of" in the twelfth line and inserting in place thereof the word, or.

\* \* \*

On motion of Mr. Taft of Greenville the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 3, relative to clerical assistants for the supreme court.

Amend the bill in Section 2, by adding after the figure \$650. the following new sentence, The governor is authorized to draw his warrants for said services out of any money in the treasury not otherwise appropriated, so that said section as amended shall read as follows:

2. Appropriation. In addition to any appropriations made for the supreme court there are hereby appropriated the following sums: For the fiscal year ending June 30, 1963, for personnel services the sum of \$1,098.79 and for current expenses and equipment the sum of \$650. The governor is authorized to draw his warrants for said services out of any money in the treasury not otherwise appropriated.

\* \* \*

On motion of Mr. Johnson of Hanover the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 117, An act relative to method of adopting zoning ordinances.

HB 93, to increase the powers of Queen of Peace College.

HB 9, relative to the salary of the justice of the Portsmouth municipal court.

HB 10, increasing the salary of the clerk of the Portsmouth municipal court.

\* \* \*

The Chair introduced Mr. John Curle, British Consul General of Boston, Massachusetts, who was accompanied by Mayor Davie of Concord.

Mr. Curle addressed the House briefly.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Readings

SB 9, to legalize the proceedings of special meetings of Hopkinton Village Precinct on July 31, 1962 and September 5, 1962, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following bills were read a third time, passed, and sent to the Senate for concurrence.

HB 120, relative to the enforcement of laws concerning cruelty to animals.

HB 162, providing for certain deductions from retirement benefits for policemen.

HB 124, providing a penalty for falsely reporting a bomb scare.

HB 163, relative to rehabilitation of covered wooden bridges.

\* \* \*

HB 129, relative to the sale of liquor and beverages in first class hotels, was read a third time. On a *viva voce* vote the bill was passed. Mr. Grimes of Dover demanded the Yeas and Nays on final passage but subsequently withdrew his demand.

HB 129 was sent to the Senate for concurrence.

\* \* \*

On motion of Mrs. Normandin of Laconia the House adjourned at 11:58 A.M.

WEDNESDAY, FEBRUARY 27, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O GOD, whose blessed Son did fast forty days and nights in preparation for his holy mission; beget in us, we beseech thee, the same desire which was in him to learn and do thy will. Forbid that through indulgence of the flesh we should dim our vision of thee and render ourselves unfit for thy service. Give us grace to master our bodies and bring them into subjection to thy good purpose for us. Teach us by prayer and fasting to win self-control, that we may count ourselves wholly to thee and enter more and more into thy blessed kingdom; through him who for our sake consecrated himself, Jesus Christ our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Maloomian of Somersworth led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The House introduced a group of school children from the 7th and 8th grades of Bow, courtesy of Mr. Hanson of Bow.

#### **Leaves of Absence**

Messrs. Ferguson of Concord and Crouch of Durham were granted leave of absence for the day on account of illness.

#### **Notice of Reconsideration**

Mr. Maxham of Concord, having voted with the majority, served notice that, today, or some subsequent day, he would ask the House to reconsider its vote whereby it passed HB 129, relative to the sale of liquor and beverages in first class hotels.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid on the table for printing, and referred as follows:

HB 352, relative to the salary of the justice of the Littleton municipal court. (Kelley and Allard of Littleton) to Municipal & County Gov.

HB 353, relative to the salary of the Rockingham county commissioners. (Wheeler of Exeter) to the Rockingham Delegation.

HB 354, relating to the licensing of plumbers. (Taylor of Whitefield) to Exec. Depts. & Adm.

HB 355, requiring reports for games of beano. (Walsh of Manchester) to Judiciary.

HB 356, relative to state employees retirement system. (Vey of Brentwood) to Executive Depts. & Adm.

HJR 19, providing funds for completion of forest conservation aid and special aid to heavily timbered town payments. (Taylor of Whitefield) to Resources, Rec. & Dev.

### Committee Reports

SB 4, requiring counties to be listed alphabetically, Mr. Eastman of Weare for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 98, relative to hunting and fishing license for aliens married to residents, Mr. LaFrance of Manchester for Fish and Game. Inexpedient to Legislate.

Mr. Bushey of Northumberland moved that HB 98 be re-committed to the Fish and Game committee and spoke in favor of the motion.

Mr. London of New London spoke against the motion.

(discussion ensued)

Mr. Andersen of Concord spoke against the motion.

The motion to recommit was not adopted.

The resolution of the committee was adopted.

HB 118, relative to clerical assistants for the division of interest and dividends of the state tax commission, Mr. Bell of Plymouth for Appropriations. Inexpedient to Legislate.

The resolution was adopted.

HB 130, relating to participation by the State of New Hampshire in the New York World's Fair, 1964-1965, Mr. Prescott of Laconia for Appropriations. Ought to pass.

Mr. Ferguson of Milford moved that the words, Inexpedient to Legislate, be substituted for the words, Ought to Pass, and spoke in favor of the motion.

Mr. Clement of Rochester spoke against the motion.

(discussion ensued)

Mr. Varney of Rochester spoke in favor of the motion.

Messrs. Barney of Rumney and Pickett of Keene spoke against the motion.

(discussion ensued)

Mr. Peterson of Peterborough spoke against the motion.

The motion to substitute did not prevail.

HB 130 was ordered to a third reading.

HB 166, relative to replacements in and extension of the heating plant system at the University of New Hampshire, Mrs. Weeks of Greenland for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 159, relative to changing the penalty in assaults, Mr. Johnson of Hanover for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 169, relative to costs in certain cases brought by mechanics and materialmen, Mr. Pryor of Ashland for Judiciary. Inexpedient to Legislate.

The resolution was adopted.

HB 133, relative to reclassification of road in Haverhill, Mr. Taft of Greenville for Public Works. Inexpedient to Legislate.

The resolution was adopted.

HB 119, authorizing the division of interest and dividends to require corporations to furnish information as to amounts



of dividends paid to New Hampshire residents, Mr. Dufferer of Ossipee for Ways and Means. Inexpedient to Legislate.

The resolution was adopted.

HB 123, relating to trailers, Mr. Giesel of Manchester for Ways and Means. Ought to pass.

The bill was ordered to a third reading.

HB 161, relative to real estate tax exemption for certain aged residents, Mr. Colbath of Dover for Ways and Means. Inexpedient to Legislate.

The resolution was adopted.

### Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 129, relative to the sale of liquor and beverages in first class hotels, and spoke against the motion.

Mr. Maxham of Concord moved that HB 129 be made a Special Order of business for Wednesday next at 11:01 A.M., and spoke in favor of the motion.

(discussion ensued)

Mr. Hancock of Concord spoke in favor of the motion.

Messrs. Coutermarsh of Lebanon, Collishaw of Exeter, Bean of Waterville, Pickett of Keene and Blanchard of Jackson spoke against the motion.

The question being on the motion for Special Order.

Mr. Maxham of Concord requested a division.

The division vote being manifestly in the negative the motion did not prevail.

The question now being on reconsideration.

The motion to reconsider was lost.

### Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 16, relative to sales of liquor and beverages by restaurants.

SB 20, relative to reclassification of certain highways in the town of Lyman.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 16, relative to sales of liquor and beverages by restaurants, to Liquor Laws.

SB 20, relative to reclassification of certain highways in the town of Lyman, to Public Works.

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 1, to reimburse legislators for attendance at National Legislative Leaders Conference.

### **Introduction of a Senate Joint Resolution**

SJR 1, to reimburse legislators for attendance at National Legislative Leaders Conference, was read a first and second time and referred to the committee on Claims and Aeronautics.

Mr. Taft of Greenville moved that the order whereby SJR 1 was referred to Claims and Aeronautics be vacated and the resolution be referred to the committee on Appropriations and spoke in favor of the motion.

The motion was adopted.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 225, to legalize the proceedings of a special meeting of the Wolfeboro School District.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Concurrent Resolution setting up a committee to study the needs of departments and agencies of the state and of the general court in regard to space needs for their operations, having considered the same, report the same with the recommendation that the house recede from its position of non-concurrence and concur in the amendment sent down by the senate.

It is understood that this agreement by the Committee of Conference shall apply only to this House Concurrent Resolution, and shall in nowise establish a precedent.

Norman A. McMeekin  
Alexander M. Taft  
Alton G. Desnoyer  
Conferees on the part of the House

Robert E. Whalen  
Louis Israel Martel  
Conferees on the part of the Senate

Mr. Taft of Greenville spoke in favor of the report.

The report was adopted.

### Report of Committee on Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 9, An act relative to the salary of the justice of the Portsmouth municipal court.

HB 10, An act increasing the salary of the clerk of the Portsmouth municipal court.

HB 93, An act to increase the powers of Queen of Peace College.

Mrs. Potter of Northumberland

\* \* \*

Mr. Bednar of Hudson moved that the order whereby HB 345, prescribing the time within which certain articles for the warrant are to be presented, was referred to Judiciary be va-

cated and that the bill be referred to the Municipal and County Government.

The motion was adopted.

### **Personal Privilege**

Mr. Pappagianis of Nashua rose on a point of personal privilege.

\* \* \*

The Chair announced that yesterday was the birthday of Mr. Angus of Claremont.

The Chair also announced that today is the birthday of Mr. Merrill of Hampton Falls.

Mrs. Cooper of Nashua announced that today was also the birthday of Mr. Totman of Alstead.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for 3:00 P.M. today be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

SB 4, requiring counties to be listed alphabetically, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House bills were read a third time, passed, and sent to the Senate for concurrence.

HB 130, relating to participation by the state of New Hampshire in the New York World's Fair, 1964-1965.

HB 166, relative to replacements in and extension of the heating plant system at the University of New Hampshire.

HB 159, relative to changing the penalty in assaults.

HB 123, relating to trailers.

\* \* \*

On motion of Mr. Howard of Bartlett the House adjourned at 12:47 P.M.

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THURSDAY, FEBRUARY 28, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Eternal Father, who hast invaded our daily existence with the vision of eternal realities — thus entering this holy season in which the conflicts of human life have been exposed — enable us, as we sense the ever increasing need to rededicate our lives in purposeful service, to follow the life example of our Master. With truths that are self-evident, lift us above all unrighteousness and help us to face life's responsibilities without despair. Show us how we may be effective instruments of Thine ever-present love in faithfully serving our fellow man — through the spirit of Thy Son, our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Park of Lyme led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of Government Study Class students from Portsmouth High School, courtesy of Mrs. Greene of Rye.

#### **Leave of Absence**

Mr. Soucy of Manchester was granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 357, establishing a charter for the city of Manchester. (Kearns and Ainley of Manchester) to Manchester Delegation.

HB 358, relative to the time for filing of permanent journal. (Upton of Concord) to Executive Departments and Administration.

HB 359, relative to the salary of the Rockingham county attorney. (Greene of Rye and Gay of Derry) to Rockingham Delegation.

HB 360, relating to salt water smelt and salt water bass. (Dame of Portsmouth) to Fish and Game.

HB 361, prohibiting hunting along a highway. (Bevan and Crouch of Durham) to Fish and Game.

HB 362, relating to minors. (Scott of Derry) to Judiciary.

HB 363, relating to the acquisition of certain dams and water rights on the Contoocook River by the water resources board. (Gove of Concord) to Resources, Recreation and Development.

HB 364, relative to the city charter of Concord. (Gove of Concord) to Concord Delegation.

HB 365, relative to definitions under the teachers' retirement system. (Gove of Concord) to Executive Departments and Administration.

HB 366, establishing a comprehensive system of district courts. (Upton of Concord, Pappagianis of Nashua, Johnson of Hanover and Spanos of Newport) to Judiciary.

### Committee Reports

HB 136, providing for reports to the legislature of filings by lobbyists, Mrs. Gagnon of Berlin for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 138, to allow printing of party designations on check lists, Mr. Claveau of Hudson for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 195, relating to the Gale Home for Aged and Destitute Women, Mr. Morse of Enfield for Executive Departments and Administration. Ought to pass with amendment.

### Amendment to HB 195

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Amount of Property Authorized. Amend section 2 of said charter of the Gale Home for Aged and Destitute Women as amended by chapter 296 of the Laws of 1929 and chapter 389 of the Laws of 1955 by striking out the words "not exceeding in value one million five hundred thousand dollars" in the fifth and sixth lines and by striking out the words "and said corporation being in the nature of a public charity, its property shall be exempted from taxation" in the seventh and eighth lines so that said section as amended shall read as follows: Sect. 2. Said corporation is authorized to establish and maintain in the city of Manchester an institution for the care and support of aged and destitute women, and for that purpose may acquire and hold by lease, purchase, donation, deed, will, or otherwise, real and personal estate and alienate the same at pleasure.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 173, relative to observance of Veterans Day, Mr. Upton of Concord for Judiciary. Inexpedient to Legislate.

Mr. Vachon of Manchester spoke against the resolution.

Mr. Plourde of Pembroke moved that HB 173 be recommitted to the Judiciary committee.

On a *viva voce* vote the Chair was in doubt and requested a division vote.

150 members having voted in the affirmative and 88 in the negative the bill was recommitted to the Judiciary committee.

HB 76, to limit the period for which past due support of institutional inmates may be recovered and the rate for support of inmates at Laconia State School, Mr. Maxham of Concord for Public Welfare and State Institutions. Ought to pass.

HB 76 was referred to the Appropriations committee under the Rules.

### **Senate Messages**

The Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 6, in favor of Mark Granite.

### **Introduction of a Senate Joint Resolution**

SJR 6, in favor of Mark Granite, was read a first and second time and referred to the committee on Claims and Aeronautics.

\* \* \*

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following concurrent resolution:

The Committee of Conference, to whom was referred the House Concurrent Resolution setting up a committee to study the needs of departments and agencies of the state and of the general court in regard to space needs for their operations, having considered the same, report the same with the recommendation that the house recede from its position of non-concurrence and concur in the amendment sent down by the senate.

It is understood that this agreement by the Committee of Conference shall apply only to this House Concurrent Resolution and shall in no wise establish a precedent.

Robert E. Whalen  
Louis Israel Martel  
Conferees on the part of the Senate

Norman A. McMeekin  
Alexander M. Taft  
Alton G. Desnoyer  
Conferees on the part of the House



### Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 3, An act relative to clerical assistants for the supreme court.

HB 4, An act relative to the disposal of papers and records for department of public works and highways.

HB 225, An act to legalize the proceedings of a special meeting of the Wolfeboro School District.

SB 9, An act to legalize the proceedings of special meetings of Hopkinton Village Precinct on July 31, 1962 and September 5, 1962.

Mrs. Potter of Northumberland

\* \* \*

Mr. McMeekin of Haverhill moved that the rules of the House be so far suspended as to dispense with the printing of HB 350, relative to salaries of certain legislative attaches.

The Clerk read the bill in full.

An Act relative to salaries of certain legislative attaches.

1 House of Representatives. Amend RSA 14:25 (supp) as amended by 1957, 314:2 and 1961, 280:4 by striking out said section and inserting in place thereof the following: 14:25 Legislative Service Assistants. The compensation of the legislative service assistants of the house of representatives shall be as follows: For the chief assistant twelve dollars and fifty cents a day, provided, that for every five regular sessions of service, an additional one dollar a day shall be added; for other assistants ten dollars and fifty cents for the first session of service, and fifty cents a day additional for each succeeding session of service, provided, that for every five regular sessions of service an additional one dollar a day shall be added.

2 Assistants of Senate. Amend RSA 14:25-a (supp) as inserted by 1961, 280:5, by striking out said section and inserting in place thereof the following: 14:25-a Senate Legislative Service Assistants. The compensation of the legislative assistants of the senate shall be as follows: For the chief assistant thirteen

dollars a day, provided, that for every five regular sessions of service, an additional one dollar a day shall be added; for other assistants ten dollars and fifty cents a day for the first session of service, and fifty cents a day additional for each succeeding session of service, provided, that for every five regular sessions of service an additional one dollar a day shall be added.

3 House Mileage Clerk. Amend RSA 14:27 (supp) as amended by 1957, 314:3 and 1961, 280:8, by striking out said section and inserting in place thereof the following: 14:27 Mileage Clerk. The compensation of the mileage clerk of the house of representatives shall be as follows: eleven dollars a day for the first session of service and fifty cents a day additional for each succeeding session of service, provided, that for every five regular sessions of service an additional one dollar a day shall be added.

\* \* \*

4 Takes Effect. This act shall take effect sixty days after its passage.

Miss Whipple of Lebanon spoke against the motion.

Mr. McMeekin of Haverhill spoke in favor of the motion.

The motion prevailed.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 136, providing for reports to the legislature of filings by lobbyists.

HB 138, to allow printing of party designations on check lists.

HB 195, relating to the Gale Home for Aged and Destitute Women.

\* \* \*

On motion of Mrs. Davis of Conway the House adjourned at 11:40 A.M.

TUESDAY, MARCH 5, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Reverend Walter S. Oddy, Guest Chaplain from the Baptist Churches of Northwood as follows:

O God, our Heavenly Father — Thou Great Governor of all the world, we join in the glad throng that praise and honor Thee.

We give Thee thanks for the blessings of daily life, for personal safety and for sufficient food; for the gracious fellowship of friends; for prosperity of our business or professions.

We pray Thy guiding power and strength upon these who endeavor to direct the ways and welfare of the peoples of our good state for they have it in their hands to make or to mar. Endow them with Thy great Wisdom and grant that these co-workers may feel ever more deeply that any diversion of their public power for private ends is a betrayal of their office.

Yea, Thou hast endowed Thy children with a divine spirit that is capable of recognizing the good, the virtuous, the worthwhile in every thing confronting us, and we pray Thee for constancy in keeping alive that spirit of right choice.

Rule Thou the lives and actions of the people of our wonderful state; illumine daily the minds of those elected and appointed to lead and to serve.

Eternal God, in all our going and coming, remind us of the swift passage of time and our accountability to Thee for its proper use.

Forgive us of our short-comings, we pray, and to Thee be the Power and Glory forever. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Pinkham of Northwood led the Convention in the Pledge of Allegiance to the Flag.

### **Introduction of Guest Speaker**

The Chair introduced Edward R. Annis, M.D., from Miami, Florida, President Elect of the American Medical Association who addressed the Convention briefly.

\* \* \*

On motion of Senator Whalen from the 24th District the Convention rose.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of students from the senior class of Coe-Brown Academy of Northwood.

The Chair also introduced the members of the Charlestown High School undefeated basketball team that won the Class M championship.

#### **Leaves of Absence**

Miss Cole of Nashua, Mrs. Morrison of Salem and Mr. Clark of Kingston were granted leave of absence for the day on account of illness.

Messrs. Kelley of Littleton, Bowles of Benton and Scott of Derry were granted leave of absence for the week on account of illness.

Mr. Goodhue of Gilford and Mr. Bergeron of Manchester were granted an indefinite leave of absence on account of illness.

Mrs. Marx of Langdon was granted an indefinite leave of absence on account of illness in the family.

Mr. Desilets of Berlin was granted a leave of absence for the day on account of illness in the family.

Mrs. Dawson of Milton was granted a leave of absence for Wednesday and Thursday on account of illness.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 367, providing salary for the register of deeds for Rockingham county. (Green of Rye and Wheeler of Exeter) to Rockingham County Delegation.

HB 368, establishing the department of state police. (Willey of Campton) to Executive Departments and Administration.

HB 369, relative to assistance for families and businesses displaced by highway construction or reconstruction projects. (Edwards of Antrim) to Public Works.

HB 370, relative to the purity of foods and drugs. (Mahoney of Manchester) to Public Health.

HB 371, relating to curfew regulations in Rochester. (Rubins and Hartigan of Rochester) to Rochester Delegation.

HB 372, relative to basic work week for state employees and overtime pay for extra work. (Felch of Seabrook) to Labor.

HB 373, authorizing the Maine-New Hampshire Interstate Bridge Authority to prepare plans for an additional bridge connecting Portsmouth, N. H. and Kittery, Me. (Stafford and Frink of Portsmouth) to Public Works.

HB 374, granting tenure to the superintendent of the Strafford County Farm. (Adams of Madbury and Habel of Somersworth) to Strafford County Delegation.

HB 375, relative to veterinarians. (Underwood of Chester) to Agriculture.

### **Committee Reports**

HB 127, relative to bonds for new office building, Mr. Shepard for Appropriations. Ought to pass with amendment.

### **Amendment to HB 127**

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to bonds for dormitories at the state teachers colleges and for the new office building.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Borrowing Power. Amend 1961, 264:10, by striking out the third sentence and inserting in place thereof the words, The bonds and notes to provide funds for the appropriations for sections 1, 2, 6, and 3 are to be paid within a period of ten years but the bonds and notes to provide funds for the appropriations for sections 4 and 5 are to be paid within a period of twenty years., so that said section as amended shall read as follows: 264:10 Borrowing Power. To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars (\$2,949,927); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of four hundred nine thousand eight hundred dollars (\$409,800); to provide funds for the appropriation made in section 3 hereof not exceeding the sum of ten thousand two hundred seventy dollars (\$10,270); to provide funds for the appropriations made in section 4 hereof not exceeding the sum of one million four hundred twenty-one thousand forty-four dollars (\$1,421,044); to provide funds for the appropriation made in section 5 hereof not exceeding the sum of one million six hundred ninety thousand five hundred dollars (\$1,690,500); and to provide funds for the appropriations made in section 6 hereof not exceeding the sum of two hundred seventy-nine thousand six hundred sixty dollars (\$279,660); and for said purposes may issue bonds and notes in the name and on behalf of the State of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. The bonds and notes to provide funds for the appropriations for sections 1, 2, 6 and 3 are to be paid within a period of ten years but the bonds and notes to provide funds for the appropriations for sections 4 and 5 are to be paid within a period of twenty years. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Mr. Clement of Rochester explained the bill.

The amendment was adopted and the bill was ordered to a third reading.

HJR 9, in favor of Harry L. Hurlbert, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The report was accepted and by unanimous consent of the House the House Joint Resolution was subsequently ordered to a third reading.

HJR 14, in favor of the New Hampshire Veterans Association, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### **Amendment to HJR 14**

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of fifteen hundred dollars for the fiscal year ending June 30, 1964, and a like sum for the fiscal year ending June 30, 1965, are hereby appropriated for the New Hampshire Veterans Association for the purpose of repairs and maintenance of the buildings and grounds at the Weirs. The governor is authorized to draw his warrant for the sums hereinabove appropriated out of any money in the treasury not otherwise appropriated.

The amendment was adopted and by unanimous consent of the House the House Joint Resolution was subsequently ordered to a third reading.

HB 113, relating to the location of the technical school. Mrs. Demers of Lebanon for Education. Inexpedient to Legislate.

Mr. Geisel of Manchester moved that HB 113 be made a Special Order for 11:01 A.M., Wednesday, March 13th and spoke in favor of the motion.

At the request of Mr. Geisel, the clerk read the following proposed amendment.

### **Amendment to HB 113**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 University of New Hampshire. Amend RSA by inserting after chapter 188-A (supp) as inserted by 1961, 267:1, the following new chapter:

## Chapter 188-B

## Technical Institute

188-B:1 The technical institute authorized by RSA 188-A:2 shall be located on the grounds of the University of New Hampshire, at Durham, and all powers, duties and responsibilities conferred upon the board of education with respect to said institute are hereby transferred from said board and vested in the trustees of the University. Funds heretofore appropriated for said institute shall be made available to and expanded by said trustees for the purposes for which appropriated.

\* \* \*

The question being on the motion for a Special Order.

Mr. Hancock of Concord spoke against the motion.

Mr. Geisel of Manchester spoke a second time in favor of the motion.

Mr. Feldman of Manchester spoke in favor of the motion.

Mr. Anderson of Concord spoke against the motion.

At the request of Mr. Hancock of Concord, Mrs. Brown of Sandwich explained the report of the committee.

(discussion ensued)

Mr. Mahoney of Manchester spoke in favor of the motion.

Mr. Plumer of Manchester spoke against the motion.

Mr. Stevenson of Bethlehem spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Kimball of Manchester requested a division.

143 members having voted in the affirmative and 180 in the negative the motion for Special Order did not prevail.

The question now being on the resolution of the committee that HB 113 was inexpedient to legislate.

(Mr. Taft of Greenville in the Chair)

Mr. Mahoney of Manchester spoke against the resolution and by unanimous consent of the House his remarks are printed in the Journal as follows:



March 5, 1963

Statement by James L. Mahony, Ward 2, Manchester

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Yesterday I read in the March 2 edition of the Concord Monitor the following headline and the following quotes from the article which followed:

**Lawmaker Reveals Special Fund Diverted From  
Driver Education**

By Bob Norling, Monitor State News Service

A startling example of how legislative intent becomes lost in the bureaucratic shuffle of state affairs has come to light in a study of expenditures from New Hampshire's special initial license plate fund.

When the Legislature established the fund in 1957, its intent, everyone was told, was to provide financial aid for high schools with driver education programs.

This intent, however, just wasn't spelled out clearly enough — because thousands of dollars have been drained from the fund for anything but driver training.

**Pays M.V. Inspectors**

It seems inconceivable that the Legislature in 1957 ever had any inkling that the fund would be used to: and many complaints are listed.

Making the study are Reps. Emile J. Soucy (R-Manchester), the committee vice chairman; Harold V. Buker (R-Merrimack) and George M. McGee (D-Lincoln).

What they find and how they report back to the committee may result in fireworks — because legislative intent never has been a thing to trifle with, and most of the spending from the initial plate fund just doesn't add up to high school driver education.

That concludes the very interesting article.

We also have in this session a very important bill to consider, and it is authored by Rep. Hancock of Concord, and refers to Public Meetings and Records. It describes in better

words than I can originate, the duties of government, and if I may read them, it says:

“Pursuant to the fundamental philosophy of the constitutional for, of representative government, which holds to the principle that the government is the servant of the people and not their master, it is hereby declared to be the public policy of the state of New Hampshire that public boards and agencies of the state . . . exist to aid in the conduct of the people’s business and are accountable to them for their actions. The people of New Hampshire do not yield their sovereignty to agencies which serve them. The people, in delegating authority do not give their public servants the right to decide what is good for the people to know. The people insist on remaining informed, so that they may retain control over the instruments they have created. The provisions of this chapter shall be liberally constructed to effectuate this declaration of policy.”

This bill is a critical one because it sets forth in plain words that the government of the state — the executive branch, if you wish — is subject to the will of the Legislature, which makes the laws.

We should apply this very important principle to the law passed by the Legislature two years ago creating a Technical Institute, and which has since then been a subject of controversy and, in the minds of many, confusion.

Yes, the Technical Institute has been the subject of many hearings, many arguments, many conferences, many studies, and I contend that when the two largest cities in the state having a population of over 125,000 people — out of our state total of 620,000 — are still wondering what the right answers are, then the Legislature must intervene and, if necessary, start over again with a new study of the issue.

I am trying to be constructive when I suggest the possibility of several approaches to this question of a Technical School as approved by the Committee on Education two years ago.

1. Are the present plans of the Technical Institute in keeping with the bill approved by this Legislature two years ago?

2. Was the real intent of the Legislature carried out, or was the delegated authority exceeded?

3. Should this Legislature, after due deliberation, ask that the entire Technical Institute question be brought back to the Legislature for a second look?

4. If the Legislature should consider that the state will be best served by reopening the entire question, should it not consider the alternatives of having the institute at the University of New Hampshire, or at Keene or Plymouth colleges to eliminate what will certainly be a fourth state college if present plans mature?

May I emphasize the fourth point. If we are to have a large institution, it seems reasonable to argue that it would be more effective for our young people, and less costly to the state, if we were to utilize the technical faculty, plus the facilities such as classroom buildings and dormitories, at the University of New Hampshire.

Rep. Ed Haseltine of Merrimack informed me recently that as a resident of Merrimack, and as a selectman of that town, that he completely misunderstood the first instructions mailed out by the State Board of Education in regard to a possible location of the institute, and that he immediately wrote back to the board that Merrimack was not interested. The list of "requirements or specifications" indicated that free land was an important attraction.

I tell you this story because it indicates how misunderstood the entire project was from the very first.

It is my firm belief, that the real, basic question that should be resolved by this Legislature is the fact that henceforth it will be understood that the Legislature alone establishes limitations on spending, and not any state department. The Technical Institute is a prime example of what I mean.

By no stretch of imagination can it be said that the Legislature gave the State Board of Education permission, or the slightest hint, that the institute was even to be envisioned as a 10 million dollar, 20 building institution. It has been claimed that the board is not considering such a vast project — but we have seen publicity, and even photos of that project.

I am sure that we can all be certain that if such an institution, as pictured to us, is once under general construction, that it will never be changed — and that the State of New

Hampshire will have its fourth big education center — the university, Keene and Plymouth Teachers Colleges — and the big 20-building Technical Institute.

At this time I am not speaking against a technical institute as originally planned and understood by many legislators two years ago, but against high handed extension of authority used in going beyond the bounds of what was intended.

My personal opinion is that the purposes of the institute, so far as the necessary technical training is concerned, can be achieved by a more conservative program than planned now and for the future by the Board of Education.

Just for background information, may I offer the fact that I first became acquainted with the subject of a technical institute as much as four years ago, if my memory serves me correctly. It was at a meeting of representatives of industrial and educational organizations held at the offices of the New Hampshire Manufacturers Association in Manchester, and Mr. Winthrop Carter of Nashua, president of the manufacturers, was presiding. The State Board of Education was represented. I attended as chairman of the Manchester Industrial Council. I had been a member of that council for several years; and I had also for several years been a member of the State Industrial Advisory Commission, with appointment by Governor Adams.

That meeting stressed the absolute necessity of having a school or schools to train people for industry. It was in addition to the trade schools in Manchester and Portsmouth. What was needed was a place where workers could have advanced technical training.

From that time until a bill appeared at the last session starting the Technical Institute, I heard nothing in relation to plans for such a center for training. The attention of our Industrial Council, in Manchester was taken up, in part, by attracting backup industries — that is, firms that supply materials to existing manufacturing plants.

What I want to stress is the fact that for several years, at least, it was the belief of many people that an effort was being made to help industry by supplying a training ground for advanced workers beyond the skills needed for the trades.

The Technical Institute planned by the State Board of Education is not what I thought it would be when I voted for the Pillsbury bill two years ago.

When this question was aired before the Governor and Council more than a year ago, I believe, I made a similar statement in the Council chamber, and Governor Powell turned to me and said: "That doesn't surprise me in the least. It happens to me, too, after bills are passed by the Legislature. You are not the only one fooled. You only think you know what is in a law."

I am quite willing to admit to a mistake — a mistake of voting for something in which I was interested but still did not know all the details. I did ask some questions, but was told to keep quiet because if there was a big controversy on the floor, it might kill the bill. To me the bill was probably the most important of the session, and I did not want to hamper its passage.

You may say that my mind is a bit confused at this type of testimony, especially because I filed this bill, but I am going to suggest that the Legislature take a second hard look at the entire question as a duty to the state itself, the Legislature and to technical training in particular, and determine whether it should act at once and ask that the Board of Education halt the Technical Institute program.

This question is a broad one, with a great many major aspects that could generate a lot of intrastate troubles in the future. It has already generated bitter controversies over the past two years, and I see no end to them unless a more favorable settlement is made by the Legislature. It is not right that the major cities of Concord, Manchester and Nashua should be divided — with each city rallying support to fight its cause.

Already it has caused the chairman of the Board of Education to say that when he debated the site for this institute that he ruled out the city of Nashua because the ambitious workers there who want advanced training are already being taken care of in Massachusetts. I am in deadly fear that owners of factories might take such a statement to heart and say that if New Hampshire feels that way, that they may as well move their plants to Massachusetts.

Yes, of course, I would want it in Manchester, but my thinking would place it south of Manchester toward the center of development.

If this bill passes, and its directives carried out, and an impartial, authoritative study made by out-of-state experts, and

the final report says that it belongs in Concord, or Nashua, or Franklin, I will be satisfied that the intent of the Legislature will be carried out.

Mr. Speaker, I request that my printed statement be included in the House Journal of this date.

(discussion ensued)

Mr. Anderson of Concord moved the previous question and it was sufficiently seconded.

The question being shall the main question now be put.

The motion was adopted.

The question now being on the adoption of the committee resolution, Inexpedient to Legislate.

The resolution was adopted.

### Reconsideration

Mr. Anderson of Concord subsequently moved that the House reconsider its vote whereby it killed HB 113 and spoke against the motion.

The motion did not prevail.

HB 197, relating to the temporary registration of automobiles purchased outside the state, Mr. Eastman of Weare for Executive Departments and Administration. Inexpedient to Legislate.

Mr. Bednar of Hudson moved that HB 197 be made a Special Order of business at 11:01 A.M., Wednesday, April 9th and spoke in favor of the motion.

The motion was not adopted.

Mr. McMeekin of Haverhill spoke in favor of the motion.

The resolution of the committee was adopted.

HB 125, relative to purchase exceptions, Mr. Cobleigh of Nashua for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 165, relative to the sale of the Franklin armory, Mr. Cournoyer of Jaffrey for Military and Veterans' Affairs. Ought to pass.

The bill was ordered to a third reading.

HB 226, relative to a certain transfer of land from the state to the town of Newbury, Mr. Barker of Stratham. Ought to pass.

The bill was ordered to a third reading.

HB 239, relative to emergency payments by county commissioners, Mr. Gaffney of Claremont for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 57, authorizing towns and cities to provide life and health insurance for its employees, Mr. Morrill of Salem for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 57**

Amend section 5 of the bill by striking out the word "upon" and inserting in place thereof the words, sixty days after, so that said section as amended shall read as follows:

5 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

(Speaker in the Chair)

HB 228, relative to fees for medical referees, Mrs. Arsenault of Randolph for Public Health. Ought to pass.

The bill was ordered to a third reading.

HB 137, relative to passenger tramways, Mr. Smith of Dover for Resources, Recreation and Development. Ought to pass.

At the request of Mrs. Martin of Littleton, Mr. Bigelow of Warner explained the bill.

The bill was ordered to a third reading.

HB 145, relative to exemption from poll tax by persons over 65 years, Mr. Lang of Manchester for Ways and Means. Inexpedient to Legislate.

Mr. Bednar of Hudson spoke against the resolution.

Mr. Pickett of Keene spoke against the resolution and moved that HB 145 be made a Special Order of business for 11:01 A.M., Wednesday, March 13th.

The Chair stated that the motion was unacceptable as the speaker had prefaced it by remarks.

Mr. Pickett of Keene spoke a second time against the resolution.

Messrs. Hancock of Concord, Geisel of Manchester and Hackler of Swanzey spoke in favor of the committee resolution.

The question being on the committee resolution that HB 145 was Inexpedient to Legislate.

The resolution was adopted.

HB 185, relative to school district budget and approval of tax rate by tax commission, Mr. Hancock of Concord for Ways and Means. Ought to pass with amendment.

### **Amendment to HB 185**

Amend the bill by striking out sections 1, 2 and 3. Further amend by renumbering section 4 to read section 1. Amend section 5 of the bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect as of May 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### **Engrossed Bills Report**

SB 4, requiring counties to be listed alphabetically, Mrs. Potter of Northumberland for Engrossed Bills committee. Ought to pass with amendment under Joint Rule 6.



**Amendment to SB 4**

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Counties Listed Alphabetically. Amend RSA 20 by inserting after section 9 the following new section: 20:9-a List of Counties. In all

\* \* \*

On motion of Mr. Hill of Conway the House concurred.

**Senate Messages**

The Senate message announced that the Senate has passed the following bill and joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 7, relative to the Russian-Japanese fund.

SB 21, relative to liens for cleaning, pressing, laundering, etc.

**Introduction of a Senate Bill and a Senate Joint Resolution**

The following Senate bill and Senate Resolution were read a first and second time and referred as follows:

SB 21, relative to liens for cleaning, pressing, laundering, to Executive Departments and Administration.

SJR 7, relative to the Russian-Japanese fund, to Judiciary.

\* \* \*

Mr. Larty of Haverhill moved that the order whereby HB 244, relative to fees for wholesale and manufacture of alcoholic beverages, was referred to the Liquor committee be vacated and that the bill be referred to Ways and Means.

The motion was adopted.

**Senate Messages**

The Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 74, relating to prowlers; peeking in windows.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 73, relative to gifts to the town of Tamworth.

HB 8, to make unlawful certain fraudulent dealing with collateral which is subject to a security interest.

HB 88, relative to reciprocity of boat operation with residents of contiguous states.

### Resolutions

Mr. Gay of Derry offered the following Resolutions:

*Whereas*, Lewis H. Carpenter, Representative from Henniker, is confined in the Concord Hospital with a broken leg, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his accident and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Carpenter.

The resolutions were unanimously adopted.

\* \* \*

The Chair also announced that today is the wedding anniversary of Mr. and Mrs. Carpenter.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence:

HJR 14, in favor of the New Hampshire Veterans Association.

HJR 9, in favor of Harry L. Hurlburt.

HB 127, relative to bonds for dormitories at the state teachers colleges and for the new office building.

HB 125, relative to purchase exceptions.

HB 165, relative to the sale of the Franklin armory.

HB 226, relative to a certain transfer of land from the state to the town of Newbury.

HB 239, relative to emergency payments by county commissioners.

HB 57, authorizing towns and cities to provide life and health insurance for its employees.

HB 228, relative to fees for medical referees.

HB 137, relative to passenger tramways.

HB 185, relative to school district budget and approval of tax rate by tax commission.

\* \* \*

On motion of Mrs. Fontaine of Berlin the House adjourned at 1:15 P.M.

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WEDNESDAY, MARCH 6, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

GRACIOUS FATHER, we thank Thee for the Joy of this day — for its challenges and its opportunities. Fill our hearts with Thy Holy Presence as we gird ourselves with Thy power. Protect our cherished ideal of freedom from the sinking sands of complacency. Renew our strength this day as we build

our earthly kingdom upon the solid foundation of Thy truth. Grant us wisdom and courage to remain ever true to the faith of our fathers and to inspire the confidence of our children. Be Thou our guiding light in all that we do in Thy name. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Thompson of Northfield led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

His Excellency, Governor King, announced that Mr. Geisel of Manchester has been made "Citizen of the Year".

### **House**

#### **Introduction of Guests**

The Chair introduced a group of 8th grade students from Boscawen, courtesy of Mr. Fairbanks from Boscawen.

#### **Leaves of Absence**

Mr. Edwards of Antrim was granted an indefinite leave of absence on account of illness in the family.

Messrs. Willey of Campton and Stevens of Epsom were granted leave of absence for the day on account of illness.

Miss Cole of Nashua and Mr. Wiggin of Bedford were granted leave of absence for today and tomorrow on account of illness.

Mrs. Shea of Keene was granted leave of absence for the day on account of inclement weather.

Mr. Urie of New Hampton was granted leave of absence for today on account of important business.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 376, establishing the elevator inspection law. (York of Concord and Dionne of Nashua) to Labor.

HB 377, relative to an open season for the hunting of raccoons. (Brocklebank of Hollis) to Fish and Game.

HB 378, relative to reporting after motor vehicle accident. (Matheson of Center Harbor) to Insurance.

HB 379, relative to rights of owner on land which has been posted against hunting. (Merrifield of Sunapee) to Judiciary.

HB 380, relative to elk, deer and moose illegally taken. (Merrifield of Sunapee) to Fish and Game.

HB 381, providing compensation for members of fish and game commission. (Merrifield of Sunapee) to Fish and Game.

HB 382, requiring registration for physical therapists. (Rufo of Concord) to Public Health.

HB 383, relative to the open season for taking brook trout. (Dionne of Nashua) to Fish and Game.

HB 384, relative to gross weight of certain vehicles. (Sherman of Lancaster and Bouchard of Berlin) to Transportation.

HB 385, relative to minimum wages. (Dion of Manchester and Sanders of Concord) to Labor.

HB 386, increasing the tax on tobacco. (Miss Whipple of Lebanon) to Ways and Means.

HB 387, relative to conflict of interest in the sale of liquor and alcoholic beverages. (Moran of Manchester) to Judiciary.

### Committee Reports

HB 55, relating to hunting deer by groups of persons, Mr. Nettleton of Groton for Fish and Game. Inexpedient to Legislature.

Mr. Underwood of Chester moved that HB 55 be recommended to the Fish and Game committee and spoke in favor of the motion.

Mr. London of New London spoke against the motion.

The motion did not prevail and the resolution of the committee was adopted.

HB 68, related to revenue derived from shellfish licenses and fines, Mr. Anderson of Warren for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 148, relative to non-forfeiture benefits and reserve valuations of industrial life insurance policies, Mr. Varney of Rochester for Insurance. Ought to pass.

The bill was ordered to a third reading.

HB 187, relative to the use of facsimile signatures and seals on corporate bonds and other obligations, Mr. Bingham of Concord for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 201, relative to exceeding appropriations by county commissioners, Mr. Littlehale of Durham for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 183, relative to the definition of a hairdressing shop, Mrs. Arsenaault of Randolph for Public Health. Pass with amendment.

#### **Amendment to HB 183**

Amend section 1 of the bill by striking out in the fourth and ninth line the word "and" and inserting in place thereof the words, and/or, so that said section as amended shall read as follows:

1 Beauty Parlors. Amend paragraph VIII of RSA 314:1 by inserting at the end thereof the words, or where equipment and facilities for hairwashing and/or hairdrying are available to the public for hire, so that said paragraph as amended shall read as follows: VIII. "Shop," a beauty shop or other place kept open for the business of hairdressing or manicuring or where equipment and facilities for hairwashing and/or hairdrying are available to the public for hire.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HJR 12, providing for the purchase of a suction dredge for the New Hampshire Port Authority, Mr. Young of Rye for Public Works. Inexpedient to Legislate.

The resolution was adopted.

HJR 13, in favor of Mount Washington Observatory, Mr. Allard of Littleton for Public Works. Ought to pass.

HJR 13 was referred to the Appropriations committee under the Rules.

SB 20, relative to reclassification of certain highways in the town of Lyman, Mr. Fortier of Berlin for Public Works. Ought to pass.

The bill was ordered to a third reading.

HB 151, relative to town road aid, Mr. Edwards of Antrim for Public Works. Ought to pass with amendment.

### **Amendment to HB 151**

Amend section 2 of the bill by striking out the figures "1963" and inserting in place thereof the figures, 1964, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect as of July 1, 1964.

\* \* \*

At the request of Mr. Newell of Concord, Mr. Taft of Greenville explained the amendment.

The amendment was adopted and the bill was referred to the Appropriations committee under the Rules.

HB 180, relative to the incorporation of trust companies, Mr. Pratt of Keene for Banks. Ought to pass with amendment.

### **Amendment to HB 180**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Membership of Board. Amend RSA 392:1 by striking out said section and inserting in place thereof the following: 392:1 Incorporation Board. There shall be a board for the incorporation of trust companies consisting of five members, as follows: the bank commissioner, the state treasurer, the attorney general, a member of the house of representatives to be appointed by the speaker, and a member of the senate to be appointed by the president, said appointed officers to hold office for two years or until their several successors are appointed. Members of the board shall receive no compensation for their services on the board, but shall be reimbursed for actual expenses incurred in the performance of their duties hereunder.

Said expenses shall be a charge upon the appropriation for the bank commissioner. The deputy bank commissioner shall serve as clerk of the board.

\* \* \*

At the request of Mr. Newell of Concord, Mr. Bigelow of Warner explained the amendment.

Mr. Newell of Concord spoke against the amendment.

On a *viva voce* vote the Chair was in doubt and requested a second voice vote.

The amendment was adopted and the bill was ordered to a third reading.

### Introduction of a Bill

HB 388, relating to the charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester, and changing the name of said corporation to Mount Saint Mary College, was read a first and second time and referred to the Executive Departments and Administration.

Mr. Pappagianis moved that the rules of the House be so far suspended as to dispense with the printing of HB 388, reference to committee, and that the bill be acted upon at the present time.

Mr. Pappagianis moved to dispense with reading of the bill and explained its substance.

The motion to dispense with reading of the bill was adopted.

The motion to dispense with the printing, reference to committee, and that the bill be acted upon at the present time was adopted.

\* \* \*

HB 388, An act relating to the charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester, and changing the name of said corporation to Mount Saint Mary College.

1 Amendment of Charter. Amend section 1 of chapter 160 of the Laws of 1893, as amended by chapter 14 of the Laws of 1934, and chapter 323 of the Laws of 1961, by striking out in the fifth and sixth lines the words "Mount St. Mary's Convent of the Sisters of Mercy, of Manchester", and inserting in place



thereof the following, Mount Saint Mary College, so that said section as amended shall read as follows: Section 1. That Right Reverend Denis M. Bradley, Sister Mary Catherine Clifford, Sister Mary Gonzaga O'Brien, Sister Mary Fidelis Hale and Sister Mary Beatrice O'Grady, their associates and successors be and hereby are created a body politic and corporate by the name of Mount Saint Mary College, for religious, educational and charitable purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities of corporations of a similar nature, and may take and hold real and personal estate by purchase, devise, donation, payment or otherwise, for the purposes of said corporation, and the same may sell, convey, use, enjoy and dispose of at pleasure; may have a common seal, and change the same at pleasure; may make such by-laws for the government of said corporation, and the election, admission and expulsion of members and associates thereof, as they shall deem necessary and proper, not inconsistent with the laws of this state or nation, and upon any member or associate refusing to conform to the by-laws so made such person shall cease to be a member of said body corporate; and said corporation may establish in Hooksett in the county of Merrimack a college for the higher education of women to be called Mount Saint Mary College, may prescribe the rules for the government of said college, the course of studies to be prescribed therein and may confer such degrees and diplomas upon the graduates therefrom as are conferred by institutions of like character.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The bill was ordered to a third reading.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 8, An act to make unlawful certain fraudulent dealing with collateral which is subject to a security interest.

HB 88, An act relative to reciprocity of boat operation with residents of contiguous states.

Mrs. Potter of Northumberland  
Mr. Eastman of Weare

### Senate Message

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 12, relative to cost of educating intellectually retarded children.

### Introduction of a Senate Bill

SB 12, relative to cost of educating intellectually retarded children, was read a first and second time and referred to the Education committee.

### Communications

Washington, D. C.  
March 4, 1963

Honorable Stewart Lamprey  
Speaker  
House of Representatives  
Concord, New Hampshire

Dear Speaker Lamprey:

This will acknowledge receipt of House Resolution requesting maximum efforts on the part of the New Hampshire Delegation in Congress to keep the Portsmouth Navy Yard in operation at full force.

Please be advised I am and have consistently sought to do this. As more fully appeared in the press on Friday, March 1st, the Navy has replied in detail to my request that the Navy continue to give full consideration to the Portsmouth Naval Shipyard in the assignment of naval work. My letter emphasized the excellent capabilities of the Shipyard and its personnel.

Be assured that this member of the Delegation will use every effort to keep the Portsmouth Naval Shipyard in operation in full force and to insure full time employment for our citizens.

Sincerely,

Louis C. Wyman, M.C.

Washington, D. C.  
March 4, 1963

Honorable Stewart Lamprey  
Speaker of the House of Representatives  
State House  
Concord, New Hampshire

Dear Stewart:

I acknowledge with thanks receipt of Concurrent Resolution relative to Federal Aid to schools. I had previously made my views in regard to this legislation known to Senator Kenneth E. Hartman.

I certainly appreciate having the resolution expressing the will and intent of the New Hampshire General Court.

Cordial regards,

James C. Cleveland, M.C.

### **Point of Information**

Messrs. Pappagianis of Nashua and Clement of Rochester rose on a point of information.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

SB 20, relative to reclassification of certain highways in the town of Lyman, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 68, relating to revenue derived from shellfish licenses and fines.

HB 148, relative to non-forfeiture benefits and reserve valuations of industrial life insurance policies.

\* \* \*

HB 180, relative to the incorporation of trust companies. Mr. Newell of Concord moved that the motion ordering HB 180 to a third reading be indefinitely postponed, and spoke in favor of the motion.

Mr. Bigelow of Warner moved that HB 180 be recommended to the committee on Banks.

Mr. Angus of Claremont spoke in favor of the motion.

The motion prevailed.

\* \* \*

### Third Readings Continued

HB 201, relative to exceeding appropriations by county commissioners.

HB 183, relative to the definition of a hairdressing shop.

HB 187, relating to the use of facsimile signatures and seals on corporate bonds and other obligations.

HB 388, relating to the charter of Mount Saint Mary's Convent of the Sisters of Mercy of Manchester, and changing the name of said corporation to Mount Saint Mary College.

\* \* \*

Mr. Larty of Haverhill moved that the order whereby HB 283, relative to the taxation of real estate, was ordered to Ways and Means be vacated and that the bill be referred to Judiciary.

The motion prevailed.

\* \* \*

On motion of Mrs. Russell of Keene the House adjourned at 12:19 P.M.

THURSDAY, MARCH 7, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O Heavenly Father, grant unto us Thy peace that passeth understanding, that we, amid the perplexities and difficulties of this our life, may rest in Thee knowing that all things are in Thee, under Thy ceaseless care, guarded by Thy everlasting love; so that with grateful hearts and quiet minds, we may face the storms of life, the shadow and the darkness, ever rejoicing to know that the darkness and the light are both alike to Thee. In Jesus' Spirit we pray. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Rubins of Rochester led the Convention in the Pledge of Allegiance to the Flag.

### **Introduction of Guests**

The Chair introduced Miss Lynne Perkins, daughter of Mr. & Mrs. John A. Perkins of Nottingham, now serving as President of N. H. State Older Youth Advisory Council, 1962 delegate to Canadian National Club Week, 1961 delegate to National Club Congress in Chicago. Miss Perkins addressed the House regarding 4-H Club activities.

\* \* \*

The Chair also introduced Mr. Peter I. Wovkonish from Auburn. Peter was 1960 delegate to National Club Congress, Past President Rockingham County Junior Leaders, Members of Older Youth Advisory Committee. Peter addressed the House regarding 4-H Club activities.

\* \* \*

The Chair also introduced Mrs. Charles Griffin, widow of former Speaker, Charles Griffin.

On motion of Senator Drake from District No. 2, the Convention rose.

**House****Introduction of Guests**

A group of 8th grade students from Rye were introduced by the Chair, courtesy of the Rye Delegation.

**Leaves of Absence**

Messrs. Chartrain of Nashua and Peabody of Pelham were granted leaves of absence for the day on account of illness.

Messrs. Edwards of Antrim and Levasseur of Manchester were granted leaves of absence for the day on account of illness in the family.

Mr. Rousseau of Manchester was granted a leave of absence for the day on account of a death in the family.

**Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 389, relative to the practice of architecture. (Newell of Concord) to Executive Departments and Administration.

HB 390, to authorize the change of name of Wentworth Hospital and Wentworth-Dover City Hospital to Wentworth-Douglass Hospital. (Maglaras of Dover) to Executive Departments and Administration.

HB 391, relative to motor vehicle operation and registration. (McGee of Lincoln) to Transportation.

HB 392, relative to the sale of insurance in connection with real estate transactions. (Desmarais of Jaffrey) to Insurance.

HB 393, relative to crediting state aid to school districts. (Turner of Gilsum) to Education.

**Committee Reports**

HB 75, relative to veterans' exemption, Mr. Gay of Derry for Military and Veterans Affairs. Ought to pass with amendment.

**Amendment to HB 75**

Amend the first paragraph of section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

1 Exemptions. Amend RSA 72:29 (supp) as amended by 1955, 289:1 by striking out the word "five" in the seventeenth line and inserting in place thereof the word, ten; further amend said paragraph by inserting after the word "thereof" in the twenty-first line the words, Provided, however, that if the ratio of assessed valuation to true valuation of the taxable real estate in the city or town where such residential real estate is located, as determined by the state tax commission, is under sixty per cent, the resident otherwise qualified shall be entitled to said exemption only if the value of his residential real estate as assessed by the selectmen, exclusive of bona fide encumbrances thereon, does not exceed five thousand dollars, so that said paragraph as amended shall read as follows: 72:29 Service Exemption. Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, provided the value of such residential real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon, exceed ten thousand dollars, and provided further that the resident qualified for exemption, excepting those with a service-connected disability, shall not be delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof. Provided, however, that if the ratio of assessed valuation to true valuation of the taxable real estate in the city or town where such residential real estate is located, as determined by the state tax commission, is under sixty per cent, the resident otherwise qualified shall be entitled to said exemption only if the value of his residential real estate as assessed by

the selectmen, exclusive of bona fide encumbrances thereon, does not exceed five thousand dollars. The following terms as used in this section shall be construed as follows:

\*       \*       \*

Mr. Gay of Derry explained the amendment.

The amendment was adopted.

Mr. Hill of Conway moved that HB 75 be referred to the committee on Ways and Means for further study.

Mr. Gay of Derry spoke against the motion.

Mr. Plumer of Bristol spoke in favor of the motion.

Mr. Larty of Haverhill spoke in favor of the motion.

Mr. O'Shan of Laconia spoke against the motion.

Mrs. Clark of Lee spoke in favor of the motion.

Messrs. Willey of Campton and McMeekin of Haverhill spoke against the motion.

The motion did not prevail and the bill was ordered to a third reading.

### Reports (continued)

HJR 16, providing supplemental appropriation for school building aid, Mr. Ring of Hampton for Appropriations. Ought to pass.

The resolution was ordered to a third reading.

HB 269, relative to the amount of annual memberships paid by towns to town officers' associations, Mr. Crouch of Durham for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 216, relative to reports to the tax commission, Mr. Tuttle of Dover for Municipal and County Government. Ought to pass with amendment.

### Amendment to HB 216

Amend section 1 of the bill by striking out in the fifteenth line the word "appears" and inserting in place thereof the word, is, so that said section as amended shall read as follows:



1 Tax Commission. Amend RSA 41:15 (supp) as amended by 1955, 155:1 by striking out the whole thereof and inserting in place thereof the following: 41:15 Report Required. The selectmen shall annually certify to the tax commission, upon blanks prescribed and provided by the commission for the purpose, the number of polls and total valuation of each class of property included in the inventory of polls and ratable estates together with a certificate of the several appropriations voted by the town and estimated revenues, so far as known, and such other information as the commission may require. The tax commission shall examine such certificates and delete any appropriation which is not made in accordance with the law. It may adjust any sum which may be used as a set off against the amount appropriated when it appears to the commission that such adjustment is in the best public interest. The commission from the certificates, and those filed by the school boards and village district commissioners, as adjusted by the tax commission, shall compute a rate per cent of taxation and notify the selectmen thereof. Such certificates, as adjusted by the tax commission shall be used to determine the average rate of taxation throughout the state. If such certificates are not received by October first the tax commission may use such information as it may be able to obtain in order to determine the average rate of taxation throughout the state for that year.

Amend section 3 of the bill by striking out the word "fifteen" in the fifth and tenth lines and inserting in place thereof the word, thirty, so that said section as amended shall read as follows:

3 Notice of Tax Bills. Amend RSA 76:11 by striking out the whole thereof and inserting in place thereof the following: 76:11 Delivery of List; Notice to Taxpayer. Such list shall be delivered to the collector within thirty days from the receipt of information by the selectmen from the tax commission of the rate per cent of taxation as provided in RSA 41:15, unless for good cause the time is extended by the tax commission. The collector shall within thirty days after the receipt of such list by him, send to every person taxed, or his agent, if known, a bill of his taxes, unless for good cause the time is extended by the tax commission.

Amend section 4 of the bill by striking out in the thirteenth line the word "appears" and inserting in place thereof the word, is, so that said section as amended shall read as follows:

4 Village Districts. Amend RSA 52 by inserting after section 14 the following new section: 52:14-a Financial Reports. The commissioners of a village district wholly within one town shall annually within ten days after the annual meeting certify to the tax commission, upon blanks prescribed and provided by the tax commission, a certificate of the several appropriations voted by the district and estimated revenues, so far as known, and such other information as the tax commission may require. The tax commission shall examine such certificates and delete any appropriation which is not made in accordance with the law and adjust any sum which may be used as a set off against the amount appropriated when it appears to the commission such adjustment is in the best public interest. The commission from such certificate shall compute the rate per cent of taxation for village district purposes.

Amend section 6 of the bill by striking out in the thirteenth line the word "appears" and inserting in place thereof the word, is, so that said section as amended shall read as follows:

6 School Boards. Amend RSA 198 by adding after section 4 the following new section: 198:4-a Financial Reports. The school board shall, annually on or before July twenty-fifth certify to the tax commission, the state department of education and the board of selectmen upon blanks prescribed and provided by the tax commission for the purpose, a certificate of the several appropriations voted by the district and estimated revenues, so far as known, and such other information as the tax commission may require. The tax commission shall examine such certificates and delete any appropriation which is not made in accordance with the law, and adjust any sum which may be used as a set off against the amount appropriated when it appears to the commission such adjustment is in the best public interest. The commission from such certificate shall compute the rate per cent of taxation for school district purposes.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mr. Herbert of Windham moved that the order whereby HB 147, relative to motor boats, was referred to Transportation be vacated and that the bill be referred to Resources, Recreation and Development.

Mr. Claflin of Wolfeboro spoke in favor of the motion.

The motion was adopted.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 39, An act relative to the capital reserve fund established by the Lincoln School District.

SB 4, An act requiring counties to be listed alphabetically.

SB 20, An act relative to reclassification of certain highways in the town of Lyman.

Mrs. Potter of Northumberland  
Mr. York of Concord

### **Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 30, providing for the development and redevelopment of areas of vacant or predominantly vacant land which are substandard or blighted.

### **Introduction of a Senate Bill**

SB 30, providing for the development and redevelopment of areas of vacant or predominantly vacant land which are substandard or blighted, was read a first and second time and referred to Resources, Recreation and Development.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 39, relative to the capital reserve fund established by the Lincoln School District.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adop-

tion of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

SB 4, requiring counties to be listed alphabetically.

### Communications

March 1, 1963

The Honorable Stewart Lamprey  
Speaker of the House of Representatives

Chapter 255 of the Laws of 1959 requires that the Comptroller shall keep a record of sums paid from funds not otherwise appropriated for workmen's compensation to state employees and shall report the same to the General Court. It further provides that the General Court shall, by legislation, direct the transfer from the appropriate special fund of such amounts, as in its discretion, should be so transferred for reimbursement of the General Fund.

In fulfillment of this requirement, I submit the attached report which covers payments made since the effective date of this act. In regards to reimbursement to the General Fund, it would appear that this would only be practical in the cases of Employment Security, New Hampshire Distributing Agency, and Turnpikes.

Leonard S. Hill, Comptroller

### Chapter 255, Laws 1959 Workmen's Compensation to State Employees

Fiscal Year 1959-1960

Health Department	\$409.70
Secretary of State	1,442.55
State Police	1,881.68
Industrial School	2,514.00
Laconia School	1,149.97
N. H. State Hospital	1,311.37
State Sanatorium	3,689.75
Education	357.50
	<hr/>
	\$12,756.52

## Fiscal Year 1960-61

Agriculture	\$12.25
Health	418.85
Recreation	3,467.23
Secretary of State	7.95
Police	1,147.00
Industrial School	1,078.85
Laconia	3,289.45
Hospital	3,202.98
Sanatorium	1,246.56
Education	1,810.69
Public Utilities	18.00
<hr/>	
Total General	\$15,699.81
Special fund Welfare	44.95
<hr/>	
Total	\$15,744.76

## Fiscal Year 1961-62

Legislative	\$32.00
Forestry	660.73
Health	505.00
Industrial School	210.85
Laconia School	6,815.40
Hospital	2,483.29
Sanatorium	1,135.26
Education	2,848.78
Bank Commission	65.42
Liquor	168.00
Racing Comm.	15.00
Tax Commission	15.00
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Total General	\$14,954.73
Fish and Game	636.03
Special Fund	
Employment Security	2,602.00
Welfare	1,942.58
<hr/>	
	\$4,544.58
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Total year	\$20,135.34

July 1, 1962 thru Dec. 31, 1962

Safety Department	\$510.00
Resources	6,143.92
Industrial School	337.95
Health & Welfare	7,060.60
Education	925.25
Civil Defense	382.00
	<hr/>
Total General	\$15,359.72

## Special Fund

N. H. Distributing	\$56.25
Employment Security	1,838.00
Health & Welfare	1,261.75
P. W. & Hwys-Turnpikes	384.26
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Total Special	\$3,540.26
	<hr/>
Total To-Date	\$18,899.98

Division of Accounts  
1/16/63  
MDL:be

\* \* \*

February 27, 1963

Hon. Stewart Lamprey  
Speaker of the House  
State House  
Concord, N. H.

Dear Mr. Speaker:

Enclosed herewith is a copy of the Twelfth Biennial Report of The Maine-New Hampshire Interstate Bridge Authority.

This report is presented to you in accordance with an act of our Legislature, Chapter 4, Article 6, Session of 1936.

I believe you will find the report to be self-explanatory; however, if there is any phase of the report that you would like

to discuss with me I would be glad to meet with you at any date convenient to you.

Sincerely,

John O. Morton, Commissioner

### Resolutions

Miss Bailey and Messrs. Downing and Spanos offered the following resolutions for the Newport Delegation:

*Whereas*, Edward J. Maley, a former Representative from Newport, has passed away, and

*Whereas*, Mr. Maley also served his town as moderator, member of the school board, town health officer and postmaster, and was also a member of the State Racing Commission, now therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his widow, Mrs. Elizabeth Maley, a copy of these Resolutions.

The Resolutions were unanimously adopted.

Messrs. Osborn of Portsmouth and Gay of Derry offered the following resolutions for the Rockingham County Delegation:

*Whereas*, Frank A. Robinson, former Representative from South Hampton, has passed away, and

*Whereas*, He was a Delegate to the Rockingham County Convention, and

*Whereas*, He also served his town as Tax Collector for several years, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute

to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend our heartfelt sympathy to his family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his wife, Mrs. Robinson.

The resolutions were unanimously adopted.

Mrs. Grey of Canaan offered the following resolutions:

*Whereas*, Joseph L. Graham, a former Representative from Canaan, has passed away, and

*Whereas*, Mr. Graham had served his town as selectman for twenty-one years and also served as a Grafton County Commissioner for several terms, now therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his town, county and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his son, Norman J. Graham, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

The Chair announced that today is the birthday of Mrs. Potter of Northumberland.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, resolutions by caption only, and that when the House adjourns today it be to meet next Wednesday morning at 11:00 A.M.



**Afternoon Session****Third Readings**

The following bills and resolution were read a third time, passed, and sent to the Senate for concurrence:

HJR 16, providing supplemental appropriation for school building aid.

HB 75, relative to veterans' exemption.

**Reconsideration**

Mr. Underhill of Nashua, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 75.

The motion did not prevail.

**Third Readings (continued)**

HB 269, relative to the amount of annual memberships paid by towns to town officers' associations.

HB 216, relative to reports to the tax commission.

\* \* \*

On motion of Mrs. Grey of Canaan the House adjourned at 12:15 P.M.

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WEDNESDAY, MARCH 13, 1963

The House met at 11:00 A.M.

**Joint Convention**

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, who hast given us strength equal to the labors of this day, inspire us as we strive to advance Thy Kingdom in our daily choices. Watch over us as we endeavor to fulfill our sacred obligations, entrusted to us through the

confidence of our Granite State citizens. Deliver us from all complacency and apathy, give us courage to act with wisdom, renew our love to Thee through faith, and lift us above all unrighteousness. May Thy blessings of peace prevail upon our Governor, his Council, and the members of this Joint Convention — Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Martin of Littleton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group from the Freshman class of Pembroke Academy, courtesy of the Pembroke Delegation.

The Chair also introduced Girl and Boy State Representatives from Littleton, courtesy of the Littleton Delegation.

#### **Leaves of Absence**

Messrs. O'Shan of Laconia and Purington of Exeter were granted leave of absence for the day on account of illness.

Mr. Todd of New Boston was granted a leave of absence for today and Thursday on account of illness.

Mr. Dame of Concord was granted leave of absence for the week on account of illness.

Messrs. Gamache of Manchester and Lavallee of Nashua were granted an indefinite leave of absence on account of illness.

Messrs. Kelley of Littleton and Stearns of Hinsdale were granted leave of absence for the week on account of illness.

Mrs. Legasse of Portsmouth and Mr. Tuttle of Dover were granted leave of absence for the day on account of important business.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 394, relative to validation of deeds lacking witnesses. (Johnson of Hanover) to Judiciary.

HB 395, directing the improvement of highways in certain towns. (Stickney of Salem, White of Atkinson, Peabody of Pelham and Herbert of Windham) to Public Works.

HB 396, relative to disposition of so-called breakage under pari mutuel pools. (Grimes of Dover) to Ways and Means.

HB 397, restricting the sale of liquor or beverages on election days while the polls are open. (Bednar of Hudson, Kimball of Manchester and Cobleigh of Nashua) to Liquor Laws.

HB 398, relative to policemen's retirement system. (Casey of Manchester, Cobleigh of Nashua and Haseltine of Merrimack) to Executive Departments and Administration.

HB 399, relative to salary of the justices and clerk of Rochester municipal court. (Marsan of Rochester) to Rochester Delegation.

HB 400, to provide group life insurance, and group hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses. (Johnson of Hanover) to Executive Dept. and Adm.

HB 401, relative to training of fire fighters (Bevan and Littlehale of Durham) to Education.

HB 402, relating to posting lands against trespass. (Rice of Peterborough) to Judiciary.

HB 403, relative to motor vehicle financial responsibility act. (Hambleton of Goffstown) to Insurance.

HB 404, relative to salaries of mayor and councilmen of the city of Laconia. (Prescott of Laconia) to Laconia Delegation.

HB 405, relative to hunting on uncultivated land. (Chamberlin of Bath) to Fish and Game.

HB 406, establishing a police commission for the city of Somersworth. (Littlefield of Somersworth) to Somersworth Delegation.

HB 407, relating to the salaries of members of the Somersworth city council. (Maloomian of Somersworth) to Somersworth Delegation.

HB 408, relating to the board of water commissioners of the city of Somersworth. (Cormier of Somersworth) to Somersworth Delegation.

HB 409, to exempt from inheritance tax property passing to an adopted grandchild. (Johnson of Hanover) to Ways and Means.

HB 410, relative to investments of guardians and conservators. (Johnson of Hanover) to Judiciary.

HB 411, providing additional exemption from income tax for persons over sixty-five years of age. (Johnson of Hanover and Upton of Concord) to Ways and Means.

HB 412, relative to rates for use of facilities for skiing at Cannon Mountain and Mt. Sunapee. (Pratt of Keene) to Resources, Recreation and Development.

HB 413, relative to emergency lights on motor vehicles and penalty for vehicle overload. (McGee of Lincoln) to Transportation.

HB 414, relative to the operation of motor boats by certain minors. (Rules Committee — Noel of Manchester) to Resources, Recreation and Development.

HJR 20, in favor of Albert Sharp. (Plumer of Bristol) to Claims and Aeronautics.

### Qualified

Mr. Origene E. Lesmerises of Ward 13, Manchester, having appeared before His Excellency, Governor King, and been duly qualified appeared and took his seat as a member of the House.

\* \* \*

Mr. Larty of Haverhill moved that the reference whereby HB 275, relative to taxation and exemption of disabled veterans, was referred to Ways and Means be vacated and the bill be referred to Military and Veterans' Affairs.

The motion was adopted.

### Committee Reports

HB 47, relating to the conduct of sweepstake races and the sale of tickets thereon, Mrs. Palmer of Plaistow for Ways and Means. Ought to pass with amendment.

**Amendment to HB 47**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. Sweepstakes. Amend RSA 284 by inserting after section 21 the following new section: 284:21-a Authorization. Within the enclosure of any race track where is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the commission shall grant any licensee hereunder who seeks permission so to do, the right to conduct not over two sweepstake races in each calendar year, 1963 to 1967. In connection therewith, and only within said enclosure a licensee may sell tickets on said sweepstake races. Tickets shall also be sold in state liquor stores and may be sold by town clerks and city clerks, said town clerks and city clerks to receive ten per cent of their gross sales. With the exception of licensees at race tracks and clerks in liquor stores, others selling tickets shall be bonded to the extent of Five Hundred Dollars.

I. The commission shall make the rules and regulations for the holding and conducting of such sweepstake races and the sales of tickets thereon not inconsistent with this section; and shall be empowered to employ such technical assistants and employees to carry out the provisions of this section and to fix the compensation thereof as may be necessary; shall establish and fix the purses to be awarded horses which place in said sweepstake races; shall establish the price, to be not more than Three dollars (\$3.00) each, for which tickets upon said sweepstakes shall be sold; shall establish the method whereby tickets sold upon said sweepstake races shall be determined to be winning tickets; and shall establish the money or prizes to be awarded holders of winning tickets; and shall authorize any licensee conducting sweepstake races to deduct from the gross revenue received from the sale of sweepstake tickets a sum which shall include the purses awarded horses which place in said sweepstake races, the prize money awarded the holders of winning tickets as determined by the commission, the cost of printing, selling and paying winning tickets as well as any other expense necessary and incidental to the conduct of sweepstake races and thereafter to pay the balance remaining to the state treasurer to be credited by him to the general funds of the state.

II. The resale of tickets upon said sweepstake races shall be prohibited and shall be unlawful.

III. Transportation of said tickets in interstate commerce by any person other than the original purchaser thereof shall be unlawful.

IV. Penalty. If any person shall violate any of the provisions of the two preceding paragraphs, he shall be fined not more than one thousand dollars or imprisoned not more than two years, or both.

\* \* \*

Mr. Upton of Concord moved that HB 47 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

At the request of Mr. Hancock of Concord Mr. Larty of Haverhill explained the amendment.

(discussion ensued)

Mr. Pickett of Keene spoke in explanation of the parliamentary situation.

Mr. Johnson of Hanover spoke in favor of the motion.

(discussion ensued)

Mr. Peterson of Peterborough spoke in favor of the motion.

### **Personal Privilege**

Mr. Pickett of Keene spoke on a point of personal privilege.

(discussion ensued)

The question being on the motion to indefinitely postpone.

Miss Faulkner of Keene, Messrs. Kimball of Manchester, Herbert of Windham and Hancock of Concord spoke in favor of the motion.

Mrs. Schwaner of Plaistow spoke against the motion.

Mr. Angus of Claremont moved the previous question and it was sufficiently seconded.

The question being shall the main question now be put.

The motion was not adopted.

The question now being on the motion to indefinitely postpone HB 47.

Mr. Merrifield of Sunapee demanded a roll call but subsequently withdrew his request.

Mr. Wylie of Fremont demanded a roll call but subsequently withdrew his request.

The question being on the motion to indefinitely postpone HB 47.

Mr. Ferguson of Concord spoke in favor of the motion.

Mr. Pickett of Keene spoke against the motion.

The motion was not adopted.

A division vote was requested.

153 members having voted in the affirmative and 190 in the negative the motion to indefinitely postpone did not prevail.

The question now being on the adoption of the amendments.

On a *viva voce* vote the Chair was in doubt and requested a division.

204 members having voted in the affirmative and 139 members in the negative, the amendments were adopted.

Mrs. Schwaner of Plaistow rose on a point of inquiry.

The question now being shall the bill be read a third time.

Mr. O'Neil of Chesterfield demanded the Yeas and Nays.

Roll Call on HB 47, relating to the conduct of sweepstake races and the sale of tickets thereon.

#### YEAS — 196

CHESHIRE COUNTY: Turner, Cournoyer, Desmarais of Jaffrey, Keating, Shea of Keene, ward 1, Pollock, Belletete, Pickett, Russell, Forbes, Abare, Ballam, Smith of Walpole.

SULLIVAN COUNTY: Adams of Charlestown, Gaffney, Angus, Nahil, Barrows, D'Amante, Desnoyer, Weber, Spanos.

GRAFTON COUNTY: Chamberlin of Bath, Boutin, Stevenson, Willey, Bowles, Morse, Larty, Beard, Demers, McGee, Brummer, Allard of Littleton, Cushman, Anderson of Warren, Berringer.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Bushey, Potter, Arsenault, Brooks, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Watts, Gay, Kimball of Derry, Nickerson, Hackett, Wheeler, Spollett, Merrill, Sewall, Twardus, Cheney, Palmer of Plaistow, Schwaner, Keefe, Murch, Sadler, Dame, Osborn, Cavalieri, Coussoule, Langford, Canty, Grant, Morrill, Stickney, Felch.

STRAFFORD COUNTY: Blanchette, Nelson, Smith of Dover, Maglaras, Drew, Canney, Dawson, Hartigan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Habel, Cormier, Hebert, Vincent, Littlefield, Bennett of Strafford.

BELKNAP COUNTY: Bolduc, Lacaille, McCarthy, Harkins, Normandin, Hayner, Stafford of Laconia, Howe.

CARROLL COUNTY: Howard, Davis of Conway, Roberts, Taylor of Effingham, Blanchard, Blake, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro.

MERRIMACK COUNTY: Guilbeault, LaFlamme, Gilman, Charland, Dempsey, Lafond, Lambert, Brown of Loudon, Thompson of Northfield, Plourde, Robinson, Tarrant.

HILLSBOROUGH COUNTY: Farwell, Taft, Eaton, Bednar, Claveau, Gallagher, Provencal, Feldman, Pettigrew, Soucy, Geisel, Goode, Mahony of Manchester, ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Dupont, Healy, O'Conner, LaFrance, Martel, Tessier, Bernier, Champagne, Cote, Delisle, Moran, Wade, Belanger, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Tremblay of Manchester, Vachon, Dionne of Nashua, ward 2, Thibault, Trombly of Nashua, Sullivan, Maynard, Dionne of Nashua, ward 6, Marcoux, Boisvert, Mason, Bissonnette, Bouley, Dubois, Latour, Sabluski, Desmarais of Nashua, Karnis.



## NAYS — 166

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Shea of Keene, ward 2, Heald of Keene, Bennett, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Bouvier, Hacker, Wildey, Sawyer.

SULLIVAN COUNTY: Frizzell, Cann, Campbell, Guest, Bailey, Downing, Hood, Merrifield.

GRAFTON COUNTY: Plumer, Grey, Goodfellow, Nettleton, Hayward of Hanover, Low, McMeekin, Hampson, Adams, Lewis, Whipple, Martin of Littleton, Park, Bell, Smith of Plymouth, Barney, Bean.

COOS COUNTY: Marsh, Nash, Keough, Thayer, Sherman, Shute, Fogg, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Underwood, Cummings, Scott, White of Derry, Collishaw, Eastman of Exeter, Wylie, Weeks, Casassa, Ring, Shindledecker, Palmer of Kensington, Clark of Kingston, McDonough, Carter, McEachern, Stafford of Portsmouth, Chandler, White of Portsmouth, Frink, Legasse, Greene of Rye, Young, Morrison, Peever, Barker, Herbert.

STRAFFORD COUNTY: Berry, Leighton, Grimes, Fellows, Colbath, Richardson, Bevan, Crouch, Littlehale, Clark of Lee, Adams of Madbury, Moulton, Rolfe, Marsan, Chase, Johnson of Rochester, Varney, Green of Rollinsford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Uhlenberg, Varrell, Allan of Meredith, Urie, Joslyn.

CARROLL COUNTY: Hill, Diffenderfer, Brown of Sandwich, Remick, Claflin.

MERRIMACK COUNTY: Phelps, Fairbanks, Hanson, Moore, Hutchinson, York, Upton, Henry, Hancock, Bingham, Smith of Concord, Andersen of Concord, MacDonald, Peaslee, Sanders, Ferguson of Concord, Gove, Maxham, Newell of Concord, Welch, Rufo, McKay, Stevens, Kelley of Franklin, London, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Whitney, Barnard, Bartlett, Hambleton, Martin of Goffstown, Davis of Greenfield, Pickering, Brocklebank, Legallee, Warren, Ainley, Lang, Kimball of Manchester, Buker,

Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Cooper, Pappagianis, Garland, Peabody, Peterson, Rice, Eastman of Weare, Heald of Wilton.

### PAIRS

Mr. Belcourt of Nashua voting Yes; paired with Mr. Purington of Exeter voting No.

Mr. Maloomian of Somersworth voting Yes; paired with Mr. Reddy of Hopkinton voting No.

and the bill was ordered to a third reading.

### Senate Message

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 19, relative to access roads to privately operated ski developments.

### Introduction of a Senate Bill

SB 19, relative to access roads to privately operated ski developments, was read a first and second time and referred to Resources, Recreation and Development.

### Concurrent Resolution

Messrs. Pappagianis of Nashua and Peterson of Peterborough offered the following concurrent resolution:

*Resolved*, by the House of Representatives, the Senate concurring that the Honorable Edward W. Brooke, Attorney General of Massachusetts be invited to address the Legislature in Joint Convention on Law Day, Wednesday, May 1, 1963, and be it further

*Resolved*, that the Justices of the Supreme Court and of the Superior Court of New Hampshire, be invited to attend this Joint Convention.

The concurrent resolution was adopted.

Mr. Pappagianis of Nashua moved that the remainder of today's calendar be made a Special Order of business at 11:01 on Thursday next (tomorrow) and spoke in favor of the motion.

The motion was adopted.

### **Announcements**

Miss Alexander of the Legislative Drafting Service requests that any legislator who has asked to have a bill drafted and has not yet received such a bill, to contact her.

She advises that she has practically completed all the bills requested, for which she has been furnished the necessary information. She still has many requests where material has not been furnished.

Miss Alexander further requests that when the draft of a bill is submitted to the sponsor he advises at once whether the bill is in form for introduction. She is presently holding many bills waiting for an OK from the sponsor.

\* \* \*

The Chair announced that yesterday was the birthday of Mr. Cote of Manchester, Chairman of the Manchester Delegation.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of a bill be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 o'clock.

### **Afternoon Session**

#### **Third Reading**

HB 47, relating to the conduct of sweepstake races and the sale of tickets thereon, was read a third time and passed.

#### **Reconsideration**

Mr. Pickett of Keene, having voted with the majority, asked the House to reconsider its vote whereby it passed HB 47 and spoke against the motion.

The motion was not adopted and HB 47 was sent to the Senate for concurrence.

\* \* \*

On motion of Mrs. Cooper of Nashua the House adjourned at 1:58 P.M.

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THURSDAY, MARCH 14, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Gracious Father, in whom we place our trust daily and find our common strength, inspire us in the midst of our deliberations by Thy redeeming presence. May our every thought and action be a monument to peace in this troubled world — secured through our growing faith in Thee, evidenced in our unfaltering love for Thy Kingdom. Protect and defend our nation and state from the perils of irresponsibility, indifference, and complacency. May the glory of freedom's holy light radiate through our every effort of service, In Thy most holy and precious Name — Amen.

### **Pledge of Allegiance to the Flag**

Mr. Turner of Gilsum led the Convention in the Pledge of Allegiance to the Flag.

### **Leaves of Absence**

Mrs. Arsenault of Randolph, Messrs. Anderson of Concord and Bigelow of Warner were granted leaves of absence on account of important business.

Mr. Shea of Keene was granted leave of absence for today and Friday to attend a funeral.

Mr. O'Shan of Laconia was granted an indefinite leave of absence on account of illness.

Mr. Bragdon of Amherst was granted leave of absence for the day on account of illness.

Mrs. Legasse of Portsmouth was granted leave of absence for the day on account of illness in the family.

Messrs. Hughes of Brookfield and Underhill of Nashua were granted leave of absence for the week on account of illness.

### **Qualified**

James M. O'Gara, Ward 9, Manchester, having appeared before His Excellency, John W. King, and been duly qualified, appeared and took his seat as a member of the House.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 415, increasing the salary of the Belknap county treasurer. (Urie of New Hampton) to the Belknap County Delegation.

HB 416, relative to minimum speed regulations for operation of motor vehicles. (White of Derry) to Transportation.

HB 417, relative to ice fishing on Sunapee Lake. (D'Amante of Claremont) to Fish and Game.

HB 418, relative to season for taking wild deer. (Bouchard of Berlin) to Fish and Game.

HB 419, relative to rate of taxation in unorganized places for education of school children. (Graham of Gorham) to Ways and Means.

HB 420, extending the appropriation for marriage counseling referral service. (Rufo of Concord) to Appropriations.

HB 421, relative to fees for motor vehicles under motor-vehicle junk licenses. (Dame of Portsmouth) to Transportation.

HB 422, relative to unlawful use of motor vehicle operator's licenses. (Dame of Portsmouth) to Judiciary.

HB 423, relative to taking shiners by nets. (Reddy of Hopkinton) to Fish and Game.

HB 424, relating to the water works in the town of Greenville. (Taft of Greenville) to Judiciary.

HB 425, relative to the Rye water district. (Rules Committee — Mrs. Greene and Mr. Young of Rye) to Municipal and County Government.

### Communication

Henniker, N. H.  
March 5, 1963

Honorable Stewart Lamprey  
Speaker of the House of Representatives  
Concord, New Hampshire

Dear Speaker Lamprey:

For reasons of health I herewith submit my resignation as a member of the House of Representatives from Henniker.

My health has been very much impaired of late and I am presently in the Concord Hospital due to a broken leg.

My sincere thanks to you for your courtesies extended to me and my best wishes to all of the Members for a successful session.

Sincerely,

Lewis H. Carpenter,  
Representative from Henniker

On motion of Mr. Johnson of Hanover the resignation was accepted.

### Committee Reports

HB 198, relating to credit unions, Mr. Allen of Rindge for Banks. Ought to pass.

The bill was ordered to a third reading.

HB 237, relative to charitable contributions by savings banks and cooperative banks, Mr. Walsh of Manchester for Banks. Inexpedient to Legislate.

The resolution was adopted.

HB 222, relative to reporting certain shortages of funds, Mrs. Sadler of Portsmouth for Banks. Ought to pass with amendment.

### **Amendment to HB 222**

Amend section 384:36, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following: 384:36 Report of Shortages to Bank Commissioner. Every shortage in funds of five hundred dollars or more in any banking or lending institution under the supervision of the bank commissioner, shall, within five banking days following day of discovery, be reported in writing to the bank commissioner by the treasurer of the institution in or with respect to which any such shortage occurs, or in the absence of said officer by the officer performing his duties.

\* \* \*

Mr. Stevens of Epsom explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 285, relative to investments for savings banks, Mr. Peaslee of Concord for Banks. Ought to pass.

The bill was ordered to a third reading.

HJR 17, relative to an inventory of real property owned by the state, Mr. McMeekin of Haverhill for Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to HJR 17**

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the comptroller is hereby directed to make an annual inventory of all real property owned or held by the state, whether outright or in trust. Such inventory shall show the location of each tract of land and a description thereof in terms sufficient to identify it, although deed descriptions need not be used unless the property can be identified in no other way. Reference will be made to the record of the title of each tract by deed reference or other convenient way and the method of

acquisition will be indicated. Improvements will be described, and the extent of each tract will be stated. The purpose for which each tract was acquired shall be set forth, as well as the use to which the same is currently put. Each department and agency of the state, including the University of New Hampshire, having real property under its jurisdiction shall cooperate with the comptroller in the preparation of said inventory, and shall furnish him such information concerning such real property as he shall request. Such inventory shall be completed on or before January 1, 1965, and upon its completion shall be filed and retained in the office of the secretary of state. Copies thereof shall be filed with the governor, the president of the senate and the speaker of the house.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 109, relative to limitation of recovery of damages for wrongful death, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

#### Amendment to HB 109

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Damages for Wrongful Death. Amend RSA 556:13 (supp) as amended by 1957, 91:1 by striking out the word "ten" in the second line and inserting in place thereof the word, twenty; further amend said section by striking out the words "twenty-five" in the fifth line and inserting in place thereof the word, forty; and further amend said section by adding at the end thereof the words, provided, however, that in the trial of any such action by jury, the jury shall not be informed of the limitation of recovery imposed by this section, and if the jury award damages in excess of such limitation the court shall reduce the amount of damages awarded to conform to such limitation, so that said section as amended shall read as follows: 556:13 — Limitation of Recovery. The damages recoverable in any such action shall not exceed twenty thousand dollars, except in cases where the plaintiff's decedent has left either a widow, widower, or minor children or a dependent father or mother, when the damages recoverable shall not exceed forty thousand dollars; provided, however, that in the trial of any such action by jury, the jury shall not be informed



of the limitation of recovery imposed by this section, and if the jury award damages in excess of such limitation the court shall reduce the amount of damages awarded to conform to such limitation.

2 Takes Effect. This act shall take effect sixty days after its passage, but shall not be applicable with respect to deaths occurring prior to its effective date.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 126, relating to liens of attorneys, Mr. Upton of Concord for Judiciary. Ought to pass with amendment.

### **Amendment to HB 126**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Lien Created. Amend RSA 311 by inserting after section 12 thereof the following new section: 311:13 Lien on Verdict. From the commencement of an action, bill in equity or other proceeding in any court, the filing of a counterclaim or plea in set-off, or recoupment, or appearance in any proceeding before any state or federal department, board or commission, the attorney who appears for a client in such proceeding shall have a lien for his reasonable fees and expenses upon his client's cause of action, upon the judgment, decree or other order in his client's favor entered or made in such proceeding, and upon the proceeds derived therefrom, and the lien cannot be affected by any settlement between the parties before or after judgment, decree or other order. Upon the request of the client or the attorney, the court in which the proceeding is pending, or if the proceeding is not pending in a court, the superior court, may determine and enforce the lien; provided that the provisions of this section shall not apply to any case where the method of determination of attorneys' fees is otherwise expressly provided by statute.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 207, providing immunity from liability in emergency cases, Mr. Peever of Salem for Judiciary. Ought to pass with amendment.

**Amendment to HB 207**

Amend said bill by inserting after the word "therefor" in the seventh line the words, provided such treatment is rendered with due care, so that said section as amended shall read as follows:

1 Physicians and Surgeons. Amend RSA 329 by inserting after section 24 the following new section: 329:25 Emergency Treatment. No person, authorized to practice medicine under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency, without making any charge therefor, provided such treatment is rendered with due care, shall be liable for any civil damages as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 282, to provide for cumulative pocket supplements for Revised Statutes Annotated, Mr. Wildey of Westmoreland for Judiciary. Ought to pass.

HB 282 was referred to Appropriations under the Rules.

HB 240, relative to service exemption, Mr. Cournoyer of Jaffrey for Military and Veterans' Affairs. Ought to pass.

At the request of Mrs. Palmer of Plaistow, Mr. London of New London explained the bill.

The bill was ordered to a third reading.

HB 267, changing the name of the New Hampshire State Hospital, Mr. MacDonald of Concord for Public Welfare and State Institutions. Ought to pass.

The bill was ordered to a third reading.

HB 134, relative to enforcement of classification of surface waters, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

**Amendment to HB 134**

Amend section 1 of the bill by inserting after the word "legislation" in the fifth line the words, hereafter enacted, and

by inserting after the word "set" in the seventh line the word, hereafter, so that said section as amended shall read as follows:

1 Pollution Requirements. Amend RSA 149:8 by inserting after paragraph IV, as inserted by 1961, 47:1, the following new paragraph: V. In the interim between the effective date of classification legislation hereafter enacted affecting any surface water of the state or section thereof, and the time limit for abatement of pollution set hereafter either by the commission under paragraph II or by the legislature, it shall be unlawful for any person or persons to dispose of any sewage or waste into said surface water of the state in excess of the maximum quantity or of a different character, than that being disposed of during the period of one year prior to the effective date of such legislative classification without first obtaining written permission from the commission.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

The Chair called for the Special Order of business for 11:01 A.M.

### Committee Reports

HJR 15, relative to Valley Forge memorial, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The House Joint Resolution was ordered to a third reading.

HB 300, authorizing Clifford R. Lizotte to apply for the so-called Korean bonus, Mr. Henry of Concord for Claims and Aeronautics. Inexpedient to Legislate.

The resolution was adopted.

HB 179, relative to the registration of lobbyists, Mr. York of Concord for Executive Departments and Administration. Inexpedient to Legislate.

Mr. McMeekin of Haverhill moved that HB 179 be made a Special Order for 11:01 for Thursday, March 21, and spoke in favor of the motion.

The motion was adopted.

HB 32, relative to the employment of an electrical inspector in the office of fire marshal, Mr. Cobleigh of Nashua for

Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to HB 32**

Amend section 1 of the bill by striking out the words "of all buildings" in the eighth and ninth lines and the forty-fifth line and inserting in place thereof the words, deemed by the board to be dangerous to the lives and safety of the citizens of the state, so that said section as amended shall read as follows:

1 Inspection of Electrical Wiring and Installations. Amend RSA 153:4 (supp), as amended by 1955, 190:7, by inserting in line 5, after the word "hazards", the following words, electrical wiring and installations; by inserting in line 20 after the word "state," the following, (h) the installation, repairing, material and workmanship of electrical installations deemed by the board to be dangerous to the lives and safety of the citizens of the state; by inserting in the twenty-seventh line, after the word "departments" the following, building and electrical inspectors, so that said section as amended shall read as follows:

153:4 Powers. The board shall have vested therein the management, supervision and direction of the duties and responsibilities as provided herein, except as limited by existing law or laws. It shall be responsible for supervising and enforcing all laws of the state relative to the protection of life and property from fire, fire hazards, electrical wiring and installations and related matters, for supervising and enforcing all laws of the state relative to the storage, handling and transportation of explosives, and shall assist the several counties, cities, towns, village districts and precincts in supervising and enforcing local laws, by-laws and ordinances where existent, relative to (a) the prevention of fires; (b) the storage, sale and use of combustibles and explosives; (c) the installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment; (d) the construction, maintenance and regulation of fire escapes; (e) the means and adequacy of exit, in case of fire, from factories, asylums, hotels, hospitals, churches, schools, halls, theatres, amphitheaters, and all other places in which numbers of persons work, live or congregate from time to time for any purpose; and (f) the investigation of the cause, origin and circumstances of fires, and (g) the transportation, storage and physical handling of flammable liquids

which such board believes dangerous to the lives or safety of the citizens of the state; and (h) the installation, repairing, material and workmanship of electrical installations deemed by the board to be dangerous to the lives and safety of the citizens of the state. It shall be the duty and responsibility of the board to coordinate the activities of its office with duly authorized city, town, and village district, fire and building department officials and other state and local agencies required and authorized by state statutes or local ordinances to develop or enforce fire safety regulations. It shall further be the duty and responsibility of the board to assist, cooperate with, advise and counsel the associate advisors in the organization and efficient operation of fire departments, building and electrical inspectors, and other fire protection organizations.

Amend section 2 by striking out said section and inserting in place thereof the following:

2 Chief Electrical Inspector. Amend RSA 153:8 by inserting after the word "deputy" in the fourth line the words, a chief electrical inspector; further amend by adding at the end thereof the words, said electrical inspector shall report monthly to the director of safety and the commissioner of safety services the status of his workload and his activities, so that said section as amended shall read as follows: 153:8 — Deputies and Assistants. The board shall fix the term of employment for a deputy fire marshal and, subject to the state personnel regulations, and within the limits of available appropriations and funds, the state fire marshal shall employ a deputy, a chief electrical inspector, such assistants, and one clerical or secretarial assistant, as may be necessary. Said electrical inspector shall report monthly to the director of safety and the commissioner of safety services the status of his workload and his activities.

Further amend the bill by striking out section 3 and inserting in place thereof the following:

3 Public Utilities Equipment. Amend RSA 153 by inserting after section 26 the following new section: 153:27 Telephone and Power Companies. The provisions of sections 4, 8, and 10-a of chapter 153, as amended, shall not pertain or be applicable to electrical wiring on public utilities company equipment, provided such electrical wiring is installed and maintained by said companies pursuant to, or exceeding, applicable requirements of the national electrical code.

Further amend said bill by striking out section 4 and inserting in place thereof the following:

4 Employing Chief Electrical Inspector. Amend RSA 153 by inserting after section 10 the following new section: 153:10-a Employment of Chief Electrical Inspector. Notwithstanding any other provisions of this chapter, a chief electrical inspector shall not be employed until certified by the personnel commission and the state board of fire control. The salary of the chief electrical inspector shall be set by the personnel commission under the provisions of RSA 93, and his salary shall be a charge upon the appropriation of the department of safety.

\* \* \*

Mr. McMeekin of Haverhill offered the following amendment to the amendment and moved its adoption.

#### **Amendment to Amendment**

Amend section 2 by inserting in the fifth and fourteenth lines after the word "safety" the word, services; further amend by striking out in the fifth and fifteenth lines the word "services" so that said section as amended shall read as follows:

2 Chief Electrical Inspector. Amend RSA 153:8 by inserting after the word "deputy" in the fourth line the words, a chief electrical inspector; further amend by adding at the end thereof the words, said electrical inspector shall report monthly to the director of safety services and the commissioner of safety the status of his workload and his activities, so that said sections as amended shall read as follows: 153:8 — Deputies and Assistants. The board shall fix the term of employment for a deputy fire marshal, and, subject to the state personnel regulations, and within the limits of available appropriations and funds, the state fire marshal shall employ a deputy, a chief electrical inspector, such assistants, and one clerical or secretarial assistant, as may be necessary. Said electrical inspector shall report monthly to the director of safety services and the commissioner of safety the status of his workload and his activities.

Amend section 4 by adding at the end thereof the words, division of safety services, so that said section as amended shall read as follows:

4 Employing Chief Electrical Inspector. Amend RSA 153 by inserting after section 10 the following new section: 153:10-a

Employment of Chief Electrical Inspector. Notwithstanding any other provisions of this chapter, a chief electrical inspector shall not be employed until certified by the personnel commission and the state board of fire control. The salary of the chief electrical inspector shall be set by the personnel commission under the provisions of RSA 93, and his salary shall be a charge upon the appropriation of the department of safety, division of safety services.

\* \* \*

Mr. McMeekin of Haverhill moved that reading of the amendment be dispensed with and spoke in favor of the motion.

The motion was adopted.

The amendment to the amendment was adopted.

The question now being on the amendment as amended.

The amendment was adopted and HB 32 was referred to Appropriations under the Rules.

HB 262, relative to temporary employees of the department of public works and highways, Mr. Allan of Meredith for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 220, relative to lost fish and game licenses, Mr. Thayer of Jefferson for Fish and Game. Inexpedient to Legislate.

The resolution was adopted.

HB 140, relating to group life insurance, Mr. Wheeler of Exeter for Insurance. Ought to pass.

The bill was ordered to a third reading.

HB 181, relating to the purchase of data processing systems by insurance companies, Mr. Wheeler of Exeter for Insurance. Ought to pass with amendment.

### **Amendment to HB 181**

Amend section 1 of the bill by adding at the end thereof the words, any life insurance company organized under the laws of this state may purchase and hold such machines and equipment pursuant to RSA 411:16-a, so that said section as amended shall read as follows:

1 Purchase Authorized. Amend RSA 402 by inserting after section 30 the following new section: 402:30-a Data Processing Systems. Every insurance company, other than life, organized under the laws of this state, may purchase and hold electronic computers and electronic and mechanical machines and equipment constituting a data processing and accounting system, provided that the cost thereof shall be amortized in not more than ten years, and provided further that the unamortized cost thereof shall not at any time exceed five per cent of the company's admitted assets without the approval of the insurance commissioner. Any life insurance company organized under the laws of this state may purchase and hold such machines and equipment pursuant to RSA 411:16-a.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 193, relative to removal of prisoners from county jails, Mr. Capistran of Manchester for Judiciary. Inexpedient to Legislate.

The resolution was adopted.

HB 208, legalizing the annual town meeting in the town of Windham, Mr. Brummer of Lisbon for Municipal and County Government. Inexpedient to Legislate.

Mr. Herbert of Windham moved that the words, Ought to pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Hill of Conway spoke against the motion.

The motion was not adopted.

The resolution of the committee was adopted.

HB 48, relative to public libraries, Mr. Tuttle of Dover for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 48**

Amend section 202-A:4 as inserted by section 1 of the bill by striking out in the fourth and fifth lines the words "in addition to" and inserting in place thereof the words, or to supplement, so that said section as amended shall read as follows:



202-A:4 Maintenance. Any city or town having a public library shall annually raise and appropriate a sum of money sufficient to provide and maintain adequate public library service therein or to supplement funds otherwise provided.

Amend paragraph I of section 202-A:10 as inserted by section 1 of the bill by striking out the words "in the" in the second line and inserting in place thereof the words, among the publicly elected members of any, so that said paragraph as amended shall read as follows:

I. Towns. Whenever a vacancy shall occur among the publicly elected members of any board of library trustees the remaining members shall give notice of the fact in writing to the selectmen of the town, who shall by appointment fill such vacancy until the next annual town meeting.

Amend paragraph II of said section 202-A:10 as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

II. Cities. A vacancy among the publicly elected members of the board of library trustees of a city library shall be filled by the city council or other appropriate appointing authority within two months of the notice by the remaining members of the board of trustees. The board of library trustees may recommend to the appointing authority names of persons for appointment to vacancies on expired terms.

Amend the first paragraph of section 202-A:11 as inserted by section 1 of the bill by inserting after the word "Duties" in the first line the words, Except in those cities where other provision has been made by general or special act of the legislature, so that said paragraph as amended shall read as follows:

202-A:11 Powers and Duties. Except in those cities where other provision has been made by general or special act of the legislature, the library trustees of every public library in the state shall:

Further amend the bill by striking out paragraph IV of section 202-A:11 as inserted by section 1 of the bill.

Amend section 202-A:12 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

202-A:12 Annual Reports. Every library regularly open to the public, or to some portion of the public, with or without limitations, whether its ownership is vested in the town, in a corporation, in an organization association, or in individuals, shall make a written report to the town or city at the conclusion of each fiscal year of (a) all receipts from whatever sources, (b) all expenditures, (c) all property in the trustees' care and custody, including a statement and explanation of any unexpended balance of money they may have, (d) and any bequests or donations they may have received and are holding in behalf of the town, with such recommendations in reference to the same as they may deem necessary for the town to consider, (e) the total number of books and other materials and the number added by gift, purchase and otherwise; the number lost or withdrawn, (f) the number of borrowers and readers and a statement of the use of the property of the library in furthering the educational requirements of the municipality and such other information and suggestions as may seem desirable, (g) submit a similar report to the state librarian at such time and on such forms as the state library commission may require.

Amend section 202-A:17 as inserted by section 1 of the bill by striking out in the 26th, 27th, 28th and 29th lines the words "The words library trustees as used in this section shall be construed to refer to any board having charge of the public library in a town or city" so that said section as amended shall read as follows:

202-A:17 Employees; Removal. No employee of a public library shall be discharged or removed from office except by the library trustees for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform his duties. Prior to the discharge or removal of any such employee, a statement of the grounds and reasons therefor shall be prepared by the library trustees, and signed by a majority of the board, and notice thereof shall be given to said employee not less than fifteen days nor more than thirty days prior to the effective date of such discharge or removal. Upon receipt of said notice and within thirty days thereafter, but not otherwise, the employee may request a public hearing thereon. If such request is made, the library trustees shall hold a public hearing on such discharge or removal. Said hearing shall be held not more than thirty days after receipt of the request for the same, and if the trustees, upon due hearing, shall find good cause for discharge or removal

of said employee, they shall order his or her discharge or removal from office. There shall be no change in salary of such employee during the proceedings for discharge or removal nor until the final effective date of the order for discharge or removal. The provisions of this section shall apply to the employees of any public library except in a case where said city or town has personnel rules and regulations which apply to said employees and which make provision for a public hearing in the case of such discharge or removal.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 177, relative to the authority of the commissioner of public works and highways, Mr. Taft of Greenville for Public Works. Inexpedient to Legislate, subject matter covered by pending legislation.

The resolution was adopted.

HB 135, relative to road in Rindge, Mr. Nickerson of East Kingston for Public Works. Inexpedient to legislate.

The resolution was adopted.

HB 81, relative to the authority of the commissioner of public works and highways, Mr. Edwards of Antrim for Public Works. Ought to pass with amendment.

### **Amendment to HB 81**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

I Special Projects. Amend RSA 229:22 (supp), as inserted by 1959, 283:1, by striking out said section and inserting in place thereof the following: 229:22 Requested Maintenance and Repair Projects. The commissioner may, on request of any city or town, perform work of maintenance and repair, including the furnishing of labor and materials, on any town or city road, bridge or any other property used in connection with highways, or on the request of any state department or institution, perform work of maintenance and repair, including the furnishing of labor and materials, on any property of any state department or institution, under the following conditions:

I. Upon completion of such work, the commissioner shall bill the town or city, state department or institution, therefor;

and the municipality or agency shall pay said bill within thirty days after the receipt thereof. Interest at the rate of six per cent per annum may be charged upon all bills not paid when due as herein prescribed, and the commissioner may refuse to perform further work of maintenance and repair for any municipality or agency delinquent in the payment of such bill.

II. The commissioner is authorized to purchase the necessary materials and supplies required for the performance of such work including the rental of equipment. The state treasurer upon presentation by the commissioner of manifests covering said materials, supplies and rentals is authorized to pay the same from any money in the highway fund not otherwise appropriated. The commissioner shall establish a special account within the highway fund to which shall be charged the cost of performing such work and to which shall be credited payments made by cities, towns, state departments and institutions hereunder. Insofar as such payments shall include charges for labor performed by personnel of the department of public works and highways and interest charges on delinquent accounts, these payments shall be credited to the highway fund.

III. Every workman on projects requested by cities and towns, except workmen employed by the department of public works and highways in its engineering force, shall be deemed to be in the employ of the city or town requesting the project and not in the employ of the state and such city or town shall be responsible for any claims resulting from such employment.

IV. Every workman on projects requested by state departments or institutions, except workmen employed by the department of public works and highways in its engineering force, shall be deemed to be in the employ of the state department or institution requesting the project and not in the employ of the department of public works and highways and such state department or institution shall be responsible for any claims resulting from such employment.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 199, relative to the classification of a highway in the town of Goffstown and the city of Manchester, Mr. Fortier of Berlin for Public Works. Ought to pass.

The bill was ordered to a third reading.

HB 141, providing for the improvement of a highway in New Ipswich, Mr. Taft of Greenville for Public Works. Inexpedient to Legislate.

The resolution was adopted.

HB 106, relative to the relocation of a portion of the central New Hampshire turnpike, Mr. Taft of Greenville for Public Works. Ought to pass with amendment.

### **Amendment to HB 106**

Amend section 257-A:1 of Chapter 257-A, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following:

#### **Central New Hampshire Connection**

257-A:1 Authority Granted. For the purpose of connecting the central New Hampshire turnpike with the proposed relocation of route U. S. 3 in Massachusetts, at the New Hampshire-Massachusetts boundary, the commissioner of public works and highways, with the approval of the governor and council, is hereby authorized to lay out and construct a relocation of the central New Hampshire turnpike at a point westerly of the present location of said route in the city of Nashua. Except as may be inconsistent herewith and except as hereinafter otherwise provided, said relocation shall be laid out, constructed and operated in accordance with, and shall be subject to, the provisions of RSA 257, including, but not limited to, section 7 of said chapter 257. Provided further that said relocation shall not be opened to traffic until relocated route 3 in Massachusetts shall also be opened to traffic.

\* \* \*

The amendment was adopted and the bill was ordered to Appropriations under the Rules.

HB 192, relative to water level of Milton Three Ponds, Mr. Casassa of Hampton for Resources, Recreation and Development. Inexpedient to Legislate.

The resolution was adopted.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 19, An act relative to the State Library.

HB 62, An act providing penalties for the reckless operation of boats resulting in death.

HB 72, An act relative to the charter of the New Hampshire Centennial Home for the Aged.

HB 73, An act relative to gifts to the town of Tamworth.

HB 105, An act relative to election printing by the Secretary of State.

HB 226, An act relative to a certain transfer of land from the state to the town of Newbury.

HB 388, An act relating to the charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester, and changing the name of said corporation to Mount Saint Mary College.

Mrs. Potter of Northumberland

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 56, relating to the disqualification of justices of the municipal court.

Amend section 1 of said bill by striking out the figure "9-a" in the third line and inserting in place thereof the figure, 9, and by striking out the word "criminal" in the twelfth line so that said section as amended shall read as follows:

1 Municipal Courts. Amend RSA 502:9 by striking out said section and inserting in place thereof the following: 502:9 Disqualification of Justices, etc. No justice, special justice or clerk of any municipal court shall be retained or employed as attorney in any action, complaint, or proceeding pending in his court, or which has been examined or tried therein. No justice of any municipal court shall be retained or employed as an attorney in any criminal action pending before any other municipal court. No attorney shall be permitted to practice in

any proceeding before any municipal court where the justice thereof is associated with said attorney in the practice of law.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

\* \* \*

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 27, relative to broadening the scope of the common law doctrine of cy pres.

SB 39, relative to fees for recording and discharging liens for internal revenue taxes.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 27, relative to broadening the scope of the common law doctrine of cy pres, to Judiciary.

SB 39, relative to fees for recording and discharging liens for internal revenue taxes, to Judiciary.

### **Senate Messages Continued**

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 388, relating to the charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester, and changing the name of said corporation to Mount Saint Mary College.

HB 226, relative to a certain transfer of land from the state to the town of Newbury.

HB 62, providing penalties for the reckless operation of boats resulting in death.

HB 72, relative to the charter of the New Hampshire Centennial Home for the Aged.

HB 105, relative to election printing by the secretary of State.

HB 19, relative to the state library.

HB 159, relative to changing the penalty in assaults.

\* \* \*

Mr. Maglaras of Dover moved that the order whereby HB 390, to authorize the change of name of Wentworth Hospital and Wentworth-Dover City Hospital to Wentworth Douglass Hospital, was referred to the Executive Departments and Administration be vacated and the bill referred to the Dover Delegation.

The motion was adopted.

### Journal Correction

Owing to an error in the Journal, the name of Mr. Johnson of Hanover, who voted "No" on the question of passage of HB 47, was omitted in the Roll Call as printed in the Journal for Wednesday, March 13th.

### Communications

United States Senate  
Washington, D. C.  
March 6, 1963

Honorable Stewart Lamprey  
House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Speaker:

I received a copy of the resolution passed by the House of Representatives relative to full employment at the Portsmouth Naval Shipyard. I presented the resolution, with appropriate remarks on the floor of the Senate, and it has been referred to the Committee on Armed Forces and printed in the Congressional Record.

You and your colleagues may be assured, as I said in the Senate, the full employment at the Yard is an item of top priority in this office.



I am enclosing copies of my remarks from the Congressional Record of March 4, 1963.

Sincerely yours,

Tom McIntyre

\* \* \*

Congress of the United States  
House of Representatives  
Washington, D. C.  
March 7, 1963

Honorable Stewart Lamprey  
Speaker of the House of Representatives  
State Capitol  
Concord, New Hampshire

Dear Mr. Lamprey:

The purpose of this letter is to acknowledge receipt of the House Resolution with regard to the continued utilization of the Portsmouth Naval Shipyard.

In view of the fact that this installation is located within the First Congressional District, I have written to my colleague, Congressman Wyman, to offer him my help and support in connection with matters pertaining to this installation.

I am aware, however, of the importance of this Shipyard to the State, as well as the Nation, and very much appreciate having received a copy of the Resolution.

Yours very truly,

James C. Cleveland, M.C.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

### Third Readings

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence:

HB 198, relating to credit unions.

HB 222, relative to reporting certain shortages of funds.

HB 285, relative to investments for savings banks.

HJR 17, relative to an inventory of real property owned by the state.

HB 109, relative to limitation of recovery of damages for wrongful death.

HB 126, relating to liens of attorneys.

HB 207, providing immunity from liability in emergency cases.

HB 240, relative to service exemption.

HB 267, changing the name of the New Hampshire State Hospital.

HB 134, relative to enforcement of classification of surface waters.

HJR 15, relative to Valley Forge memorial.

HB 262, relative to temporary employees of the department of public works and highways.

HB 140, relating to group life insurance.

HB 181, relating to the purchase of data processing systems by insurance companies.

HB 48, relative to public libraries.

HB 81, relative to the authority of the commissioner of public works and highways.

HB 199, relative to the classification of a highway in the town of Goffstown and the city of Manchester.

\* \* \*

The Chair announced that Monday March 18th is the birthday of Mr. Gay of Derry.

\* \* \*

On motion of Mrs. Thompson of Northfield the House adjourned at 12:27 P.M.

FRIDAY, MARCH 15, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, teach us to be wise in counsel, calm in action, and sincere in motive as we enter upon a new day of labor for Thee. Grant us freely of Thy STRENGTH which supports and sustains — of Thy HOLINESS which allures and enchants — of Thy WISDOM which inspires and guides — and of Thy PARDONING GRACE which forgives us in the midst of our transgressions. Endow Thy servants with Thy vision that we may view the eternal values of life. Watch over us while we are absent, one from another, upon the conclusion of this day's service — In Thy Name we pray — Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Hayner of Laconia led the Convention in the Pledge of Allegiance to the Flag.

### **House**

Messrs. Capistran of Manchester, Ballam of Walpole and Davis of Greenfield were granted leaves of absence for the day on account of important business.

Mr. Dumais of Nashua was granted an indefinite leave of absence on account of illness.

Mr. Bragdon of Amherst was granted leave of absence for the day on account of illness.

Mr. Pollock of Keene was granted leave of absence for the day to attend a funeral.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 426, to provide reduced airways toll on jet fuel. (Pickett of Keene) to Ways and Means.

HB 427, to provide per diem for members of the aeronautics commission. (Pickett of Keene) to Claims and Aeronautics.

HB 428, relating to county commissioner districts for the county of Coos. (Vashaw of Berlin and Potter of Northumberland) to Coos County Delegation.

HB 429, relative to payment to certain persons for loss or damage to property caused by the Merrimack River flood control compact. (Eastman of Weare, McKay of Dunbarton, Reddy of Hopkinton and Carpenter of Henniker) to Appropriations.

HB 430, providing for control of aquatic nuisances on Lake Winnisquam. (Harkins of Laconia and Urie of New Hampton) to Resources, Recreation and Development.

HB 431, to provide funds for public access roads and other benefits for recreational use of New Hampshire lakes, ponds and rivers. (Urie of New Hampton and York of Concord) to Resources, Rec. & Dev.

HB 432, relative to number of ballots to be printed for the primary election (Peterson of Peterborough) to Executive Depts. & Adm.

HB 433, relative to recording devices of real estate in the registry of deeds. (Normandin of Laconia) to Judiciary.

HB 434, relating to minimum wages of employees in public works. (Angus of Claremont) to Labor.

HB 435, relative to the sewerage system in the city of Somersworth. (Vincent of Somersworth) to Somersworth Delegation.

HB 436, relative to motor vehicle and boat number plates. (McGee of Lincoln) to Resources, Recreation & Dev.

HB 437, relative to permitted length of motor vehicles. (Andersen of Concord) to Transportation.

HB 438, relative to highway construction aid to towns. (Potter of Northumberland) to Public Works.

HB 439, continuing the appropriation for expansion of the state park system. (Casassa of Hampton) to Appropriations.

HB 440, relative to the purchase of sand or gravel from the bed of public waters. (Welch of Concord) to Judiciary.

HB 441, to provide for the issuance of air carrier certificates of public convenience and necessity for intrastate air transportation. (Pickett of Keene and Coutermarsh of Lebanon) to Claims and Aeronautics.

HB 442, relating to the sale of state land at Intervale Ski Area. Rules Committee (Howard of Bartlett) to Resources, Rec. & Dev.

HB 443, legalizing proceedings at the town meeting March 12, 1963 in the town of Bow. Rules Committee (Hanson of Bow) to Municipal and County Government.

Mr. Hill of Conway moved that the rules of the House be so far suspended as to dispense with the printing of HB 443.

The Clerk read the bill in full.

\* \* \*

HB 443, An act legalizing proceedings at the town meeting on March 12, 1963 in the town of Bow.

1 Proceedings Legalized. The votes and proceedings at the annual town meeting on March 12, 1963, in the town of Bow are hereby legalized, ratified and confirmed.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The motion was adopted.

\* \* \*

HB 444, legalizing the election of officers at the annual town meeting on March 12, 1963 in the town of Milton, Rules Committee (Mrs. Dawson of Milton) to Municipal and County Government.

Mr. Hill of Conway moved that the rules of the House be so far suspended as to dispense with the printing of HB 444.

The Clerk read the bill in full.

\* \* \*

HB No. 444, An act legalizing the election of officers at the annual town meeting on March 12, 1963 in the town of Milton.

1 Election Legalized. The proceedings relative to the election of officers at the annual town meeting on March 12, 1963

in the town of Milton are hereby legalized, ratified and confirmed.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The motion was adopted.

\* \* \*

HJR 21, relative to control of the Dutch elm disease. (Rice of Peterborough) was read a first and second time and referred to Resources, Recreation and Development.

### Committee Reports

SJR 6, in favor of Mark Granite, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

SJR 6 was ordered to a third reading.

HB 234, relating to the bounty on bobcats, lynxes, timber wolves and prairie wolves, Mr. Vashaw of Berlin for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 46, relative to the equipping of motor vehicles with safety belts, Mr. Claflin of Wolfeboro for Transportation. Inexpedient to Legislate.

Mr. Cobleigh of Nashua moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

(discussion ensued)

Mr. White of Derry spoke in favor of the motion.

Mr. Claflin of Wolfeboro spoke against the motion.

(discussion ensued)

Mr. Cobleigh of Nashua spoke a second time in favor of the motion.

(discussion ensued)

Mr. McGee of Lincoln spoke against the motion.

(discussion ensued)

Mr. Uhlenberg of Gilmanton spoke against the motion.

The motion was not adopted.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 154, relating to the operation of overweight vehicles, Mr. Claflin of Wolfeboro for Transportation. Inexpedient to Legislate.

The resolution was adopted.

HB 175, relative to motor vehicle accident reports, Mr. Claflin of Wolfeboro. Inexpedient to Legislate.

The resolution was adopted.

HB 20, relative to voting machines in the city of Manchester, Mr. Lang of Manchester for the Manchester Delegation. Ought to pass.

Mr. Lang of Manchester offered the following amendment.

The Clerk read the amendment in full.

### **Amendment to HB 20**

Amend the title of said bill by striking out the same and inserting in place thereof the following: An act authorizing cities and certain towns to install voting machines with the state paying one half the cost.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Voting Machines. Amend RSA 59 by inserting after section 28 the following new section: 59:28-a Reimbursement. Notwithstanding the provisions of section 59:28 any town with a voting population of greater than two thousand qualified registered voters, or mayor and aldermen of any city, may vote to install voting machines under the provisions of section 25 for the elections held in said qualified town or city, and shall be reimbursed by the state in an amount equal to, but not in excess of, one half the cost so incurred.

2 City of Portsmouth. The city of Portsmouth shall be reimbursed by the state in an amount equal to, but not in ex-

cess of, one half the cost for voting machines now installed at the expense of the city.

3 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

Mr. Lang of Manchester spoke in favor of the amendment.

(discussion ensued)

Mr. Edwards of Antrim and Mr. O'Neil of Chesterfield spoke against the amendment.

In answer to an inquiry from Mr. Murch of Portsmouth, Mr. Osborn of Portsmouth spoke against the amendment.

Mr. Taft of Greenville spoke against the amendment.

Mr. Keefe of Portsmouth spoke for the amendment.

The amendment was not adopted.

The bill was ordered to a third reading.

HB 209, relative to extra pay for the police force in the city of Manchester, Mrs. Martel of Manchester for the Manchester Delegation. Ought to pass with amendment.

### **Amendment to HB 209**

Amend section 1 of the bill by striking out in the fifth and sixth lines the words "fifteen dollars per day" and inserting in place thereof the following: one dollar and eighty-seven and one-half cents per hour, the same hourly rate as regular officers, so that said section as amended shall read as follows:

1 Manchester Police Force. Each member of the regular and reserve police force of the city of Manchester, when serving at the polls on any election day, including primaries, shall receive over and above his regular salary, the sum of one dollar and eighty-seven and one-half cents per hour, the same hourly rate as regular officers.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 255, relative to the primary election in the city of Manchester, Mr. Bernier of Manchester for the Manchester Delegation. Ought to pass.

The bill was ordered to a third reading.



### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 49, relative to the removal, transportation and disposal of human excrement and other putrescible material.

HB 128, increasing the authority of the New Hampshire Congregational-Christian Conference to hold property.

HB 163, relative to rehabilitation of covered wooden bridges.

\* \* \*

A further Senate message announced that the Senate has passed a bill and a joint resolution in the passage of which it asks the concurrence of the House of Representatives.

SB 35, to require the licensing of foster day care homes.

SJR 4, relative to Pittsfield dam acquisition.

### Introduction of a Senate Bill and Senate Joint Resolution

The following Senate bill and Senate Joint Resolution were read a first and second time and referred as follows:

SB 35, to require the licensing of foster day care homes, to Public Welfare and State Institutions.

SJR 4, relative to Pittsfield dam acquisition, to Resources, Recreation and Development.

### Communications

City of Concord

In the year of our Lord one thousand nine hundred and sixty-three.

*Resolution* — Relative to a petition to the General Court of the State of N. H. and the Concord Delegation requesting legislation which will provide additional revenue to the City of Concord to relieve the tax burden on real estate.

The City of Concord Resolves as Follows:

*Whereas*, the City of Concord is faced with a constantly rising tax rate occasioned by a general inflationary trend and continuing demands for increased municipal and school services; and

*Whereas* the City of Concord depends in large part upon the tax on real property to obtain its revenue, which tax has become so burdensome as to discourage the ownership and improvement of real estate; and

*Whereas* the City of Concord is particularly concerned because of the inequitable and regressive aspects of the stock-in-trade tax and the high percentage of non-taxable real estate within its limits;

*Now Therefore*, be it

*Resolved* that the City of Concord does urgently petition the General Court of the State of New Hampshire and the Concord delegation in particular, to give immediate and serious consideration to legislation which will provide an additional source or sources of tax revenue to the City of Concord and other New Hampshire municipalities, thereby ease the tax burden on the owners of real estate.

That a copy of the said resolution be forwarded to the Governor, the President of the Senate, and Speaker of the House of Representatives, and each member of the Concord delegation of the Senate and House.

Board of Aldermen

March 11, 1963

Passed.

Attest:

Arthur E. Roby, City Clerk

Approved.

Charles C. Davie, Mayor

\* \* \*

Canterbury, N. H., Mar. 19, 1963

### Resolution

*Whereas*, the school tax rate in Canterbury in 1963 will be about 80% higher than the "fair maximum" school tax rate established by the Interim Commission on Education, and

*Whereas*, it is certain that school costs in Canterbury will rise faster than property values in the next five years, now therefore

*Be it Resolved and Recorded*, that the voters of Canterbury at the Town Meeting, March 12, 1963, favor the immediate passage of legislation providing for some form of broad-based state tax and that funds collected under such legislation be returned to the school districts or municipalities to be used exclusively in defraying costs of education, and that

A Copy of This Resolution be sent to the Governor of the State, the President of the Senate, the Speaker of the House of Representatives, the Senator from this district and the Canterbury Representative in the General Court.

Sabin N. Guertin  
Clerk of Canterbury, N. H.

(Mr. Bernier of Manchester in the Chair)

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

(Speaker in the Chair)

### Afternoon Session

#### Third Readings

SJR 6, in favor of Mark Granite, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 234, relating to the bounty on bobcats, lynxes, timber wolves and prairie wolves.

HB 20, relative to voting machines in the city of Manchester.

HB 209, relative to extra pay for the police force in the city of Manchester.

HB 255, relative to the primary election in the city of Manchester.

\* \* \*

On motion of Mrs. Tarrant of Pittsfield the House adjourned at 12:32 P.M.

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TUESDAY, MARCH 19, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Rt. Reverend Gilles Simard, Holy Rosary Church, Rochester, as follows:

Realizing that the conduct of the affairs of men is wholly dependent upon a Provident Creator, we humbly ask Thee, Almighty God, to bless this august assembly and assure the welfare of those committed to its vigilant care.

We pray Thee that, guided by Thy Infinite Wisdom, the members of our Legislature will labor unselfishly for the happiness of the humblest family as well as the homes of the mighty.

We firmly hope that the people of this State will ever be ready to face life's struggle courageously and thus reach the true happiness of Thy chosen ones, now and forever, Amen.

### **Pledge of Allegiance to the Flag**

Mr. Brown of Loudon led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Messrs. Casassa of Hampton and Goodhue of Orford were granted an indefinite leave of absence on account of illness.

Mr. Urie of New Hampton was granted leave of absence for the day on account of illness.

Mr. Sawyer of Winchester was granted a leave of absence for the day on account of important business.

Mr. Kelley of Littleton was granted leave of absence for the week on account of illness.

### **Introduction of Guests**

The Chair introduced a group of 7th and 8th grade students from the Loudon school, courtesy of Mr. Brown of Loudon.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 445, relative to the Lancaster-Whitefield cooperative school district. Rules Committee (Mrs. Taylor of Whitefield and Mr. O'Neil of Chesterfield) to Education.

HB 446, relative to sick leave for public school teachers. (Uhlenberg of Gilmanton) to Education.

HB 447, relative to village districts. (McMeekin of Haverhill) to Municipal and County Government.

HB 448, relative to conveyance of Rye Harbor Reservation to the town of Rye. (Greene of Rye) to Resources, Recreation and Development.

HB 449, relative to on-sale permits for alcoholic beverages. (Messrs. Desilets and Bouchard of Berlin) to Liquor Laws.

HJR 22, in favor of Fred Reed and Esther Reed. Rules Committee (Mr. Upton of Concord) to Claims and Aeronautics.

### **Qualified**

Messrs. Boettcher of Manchester, Ward 10 and Head of Ward 3 Laconia, having appeared before His Excellency, Governor King, and been duly sworn in, appeared and took their seats in the House.

### **Committee Reports**

HB 287, relating to the licensing of auctioneers, Mr. Carter of North Hampton for Executive Departments and Administration, Inexpedient to Legislate.

Mr. Pryor of Ashland moved that HB 287 be recommitted to the Executive Departments and Administration and spoke in favor of the motion.

Mr. Claveau of Hudson spoke in favor of the motion.

Mr. McMeekin of Haverhill spoke against the motion.

The motion was not adopted.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 290, relative to the retirement age for state employees under the state employees' retirement system, Mr. Lamprey of Tuftonboro for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 33, relative to date of the primary election and establishing a run-off primary, Mr. Johnson for Judiciary. Ought to pass with amendment. (Majority)

### **Amendment to HB 33**

Amend the title of said bill by striking out the words "and establishing a run-off primary" so that said title as amended shall read as follows:

An Act relating to date of the primary election.

Further amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Regular Primary. Amend RSA 56:4 by striking out the words "second Tuesday of September" and inserting in place thereof the words, third Tuesday of June, so that said section as amended shall read as follows: 56:4 Dates. A primary conducted by the regular election officers shall be held at the regular polling places in each town and ward in the state on the third Tuesday in June, biennially, for the nomination of all candidates to be voted for at the November election, except presidential electors.

2 Recount of Votes. Amend RSA 56:57 by striking out the word "ten" where it occurs in the second and fourth lines and

inserting in place thereof the word, five, so that said section as amended shall read as follows: 56:57 Notice of Recount. The secretary of state shall fix a time for such recount not earlier than five days after the receipt of the application and shall notify the opposing candidates thereof, and as soon after the expiration of said five days as circumstances will permit such recount shall be held and conducted as recounts of votes cast at elections are.

3 State Conventions. Amend RSA 56:62 by striking out said section and inserting in place thereof the following: 56:62 Date, Call and Purposes. Not earlier than the first Tuesday after the first Monday of September following the primary, and not later than the third Tuesday of September upon the call of the chairman of the state committee of the party, the nominees of each party for the offices of governor, councilors, state senators, county officers, representatives and state delegates elected shall meet in state convention for the purpose of adopting the platform of their party, nominating presidential electors and effecting an organization for the following two years. The names and residences of the presidential electors nominated by such convention shall be forthwith certified to the secretary of state by the chairman and clerk of the convention. Upon receipt of the foregoing certifications, the secretary of state shall publish in some paper of general circulation the names of the persons found by him to have been chosen as candidates for presidential electors by the several parties.

4 Takes Effect. This act shall take effect as of January 1, 1964 and shall be in effect for the biennial primaries in 1964 and thereafter.

\* \* \*

HB 33, Messrs. Capistran of Manchester, Spanos of Newport, Healy of Manchester, Moran of Manchester and Miss Normandin of Laconia for the minority of Judiciary, Inexpedient to Legislate.

Mr. Spanos of Newport moved that the words, Inexpedient to Legislate, be substituted for the words, Ought to pass with amendment, and spoke in favor of the motion.

Mr. Johnson of Hanover spoke against the motion.

(discussion ensued)

### Reconsideration

Mr. Pickett of Keene, having voted with the majority, served notice that he would ask the House to reconsider its vote whereby it killed HB 154, relating to the operation of overweight motor vehicles.

\* \* \*

(Debate on HB 33 continued)

Question being on the motion to substitute.

Mr. Capistran of Manchester spoke in favor of the motion.

Mr. Plumer of Bristol spoke against the motion.

Mr. Pappagianis of Nashua spoke in favor of the motion.

(discussion ensued)

Mr. Peterson of Peterborough spoke against the motion.

(discussion ensued)

Mr. Healy of Manchester moved that HB 33 be indefinitely postponed and spoke in favor of the motion.

Messrs. Taft of Greenville and Kimball of Manchester spoke against the motion.

Mr. Pickett of Keene moved the Previous Question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to Indefinitely Postpone HB 33.

Mr. Angus of Claremont requested a division.

152 members having voted in the affirmative and 199 in the negative the motion to indefinitely postpone was lost.

The question now being on the motion that the words, Inexpedient to Legislate, be substituted for the words, Ought to pass with amendment.

### Parliamentary Inquiry

Messrs. O'Shan of Laconia and Angus of Claremont rose on a point of parliamentary inquiry.

\* \* \*



The motion was not adopted.

The question now being on the amendment as offered by the committee.

On a *viva voce* vote the Nays appeared to have it. Mr. Peterson of Peterborough requested a division.

208 members having voted in the affirmative and 124 in the negative the amendment was adopted and the bill was ordered to a third reading.

Concurrent Resolution in regard to an amendment to the Constitution of the United States. (so-called Liberty amendment) Mr. Desnoyer of Claremont for Judiciary. Inexpedient to Legislate.

Mr. Stafford of Laconia moved that the Concurrent Resolution be referred to the Judicial Council and spoke in favor of the motion.

(discussion ensued)

Mr. Upton of Concord spoke against the motion.

(discussion ensued)

Mr. Heald of Keene spoke in favor of the motion.

Mr. Kimball of Derry moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate.

The Chair ruled that the motion was out of order, the question being on the motion to refer the concurrent resolution to the Judicial Council.

Messrs. Kimball of Derry, Wildey of Westmoreland and Pollock of Keene spoke in favor of the motion.

Mr. Newell of Concord spoke against the motion.

Mr. Prior of Ashland spoke in favor of the motion.

Mr. Desnoyer of Claremont spoke against the motion.

(discussion ensued)

The question now being on the motion to refer the concurrent resolution to the Judicial Council.

The motion was not adopted.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 328, relative to termination statements under the uniform commercial code, Mrs. Grey of Canaan for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 302, relative to the state board of conciliation and arbitration, Mr. Mahoney of Manchester for Labor. Ought to pass.

The bill was ordered to a third reading.

Mr. Angus of Claremont moved that the House reconsider its vote whereby it ordered HB 302 to a third reading and spoke in favor of the motion.

The motion was adopted and HB 302 was then referred to the committee on Appropriations under the Rules.

HB 152, relating to the laws governing the sale of liquors, beer and wines, Mr. Collishaw of Exeter for Liquor Laws. Inexpedient to legislate.

Mr. Ferguson of Milford moved that HB 152 be recommitted to Liquor Laws and spoke in favor of the motion.

Mr. Collishaw of Exeter spoke against the motion.

The motion was not adopted.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 231, relative to compensation for members of board of medical examiners, Mr. Green of Rollinsford for Public Health. Ought to pass with amendment.

### **Amendment to HB 231**

Amend section 1 by striking out the word "fifty" in the third and sixth lines and inserting in place thereof the word, thirty-five, so that said section as amended shall read as follows:

1 Medical Examiners. Amend RSA 329:5 by striking out the word, "fifteen" in the second line and inserting in place thereof the word, thirty-five, so that said section as amended

shall read as follows: 329:5 Compensation. The members of the board may receive a per diem of thirty-five dollars for meetings and examinations. Said board shall receive no compensation in excess of the fees received, and shall be of no expense to the state beyond such amount.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 257, relative to railroad-highway grade crossings, Mr. Fox of Whitefield for Public Works. Ought to pass with amendment.

### Amendment to HB 257

Amend section 1 of the bill by adding at the end thereof the words "provided that the railroad shall not be charged with any of the said costs" so that said section as amended shall read as follows:

1 Authority of Commission. Amend RSA 373 by inserting after section 6 the following new section: 373:6-a Private Crossings Used by Public. Whenever it shall appear, after notice and hearings held by the commission upon its own motion or upon petition of any interested party, that an existing grade crossing is being used as a public highway and the adjacent approach or approaches thereto are maintained for use in a manner similar to a public highway, the commission may require the same to be laid out, constructed and protected, and the costs thereof apportioned in accordance with the provisions of this chapter provided that the railroad shall not be charged with any of the said costs.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 230, relative to town road aid, Mr. Nickerson of East Kingston for Public Works. Inexpedient to legislate, subject matter covered by pending legislation.

At the request of Mr. Pickett of Keene, Mr. Taft of Greenville explained the resolution. The resolution was adopted.

HB 271, prohibiting misuse of boat registration plates, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate. The resolution was adopted.

### Senate Messages

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 50, relative to the act establishing the New Hampshire port authority.

### Introduction of a Senate Bill

SB 50, relative to the act establishing the New Hampshire port authority, was read a first and second time and referred to Resources, Recreation and Development.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 84, providing for chairman pro tem for water pollution commission and relative to standards for Class B-1 waters.

HB 166, relative to replacements in an extension of the heating plant system at the University of New Hampshire. —

HB 130, relating to participation by the state of New Hampshire in the New York World's Fair, 1964-1965.

### Report of Committee on Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and Senate Joint Resolution:

HB 49, An Act relative to the removal, transportation and disposal of human excrement and other putrescible material.

HB 84, An Act providing for chairman pro tem for water pollution commission and relative to standards for Class B-1 waters.

HB 56, An Act relating to the qualification of justices of the municipal court.

HB 128, An Act increasing the authority of The New Hampshire Congregational-Christian Conference to hold property.

HB 159, An Act relating to changing the penalty in assaults.

HB 163, An Act relative to rehabilitation of covered wooden bridges.

HB 166, An Act relative to replacement in an extension of the heating plant system at the University of New Hampshire.

SJR 6, Joint Resolution in favor of Mark Granite.

Mrs. Potter of Northumberland  
Mr. York of Concord

\* \* \*

The Chair announced that today is the birthday of Mrs. Martel of Manchester and Mr. Blanchard of Jackson.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon session**

### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 290, relative to the retirement age for state employees.

HB 33, relating to date of the primary election.

### **Reconsideration**

Mr. Peterson of Peterborough, having voted with the majority, asked the House to reconsider its vote whereby it passed HB 33 and spoke against the motion. The motion was not adopted.

### **Third Readings and Final Passage continued**

HB 231, relative to compensation for members of board of medical examiners.

HB 257, relative to railroad-highway grade crossings.

\* \* \*

On motion of Mrs. Davis of Conway the House adjourned at 1:34 P.M.

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WEDNESDAY, MARCH 20, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

FATHER of MERCY, gratefully we lift our hearts toward Thee this morning hour to receive Thy presence. Humbly we seek a portion of Thy strength and wisdom to guide us through another day of privileged service. With the deepest sense of reverence we undertake the numerous tasks assigned to our care. Keep us safe from error in judgment and thought while being faced with the important decisions of government. Lift us above all unrighteousness and selfishness as we act upon the endeavors of those desiring to protect and preserve our vital freedoms. Continually extend Thy favor upon our beloved Granite State — her people, her leaders, and her workers . . . In Thy Spirit of Love we pray — Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Arsenault of Randolph led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

The Chair introduced the Honorable Norris Cotton, Senior New Hampshire Senator, who addressed the Convention briefly.

On motion of Senator Drake from District 2, the Convention rose.

## House

### Introduction of Guests

The Chair introduced a group of students from the 6th grade of the Eastman School, courtesy of Mr. Upton of Concord.

### Leaves of Absence

Messrs. Lamprey of Tuftonboro, Head of Laconia and Bigelow of Warner were granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 450, relative to appointment of inspectors and police power of personnel. (Bigelow of Warner) to Executive Depts. and Administration.

HB 451, relative to the compensation of the director of aeronautics. (Pickett of Keene) to Claims and Aeronautics.

HB 452, for a sales and use tax law. (Clark of Lee) to Ways and Means.

HB 453, relative to the government of the city of Lebanon. (Coutermarsh and Beard of Lebanon) to Lebanon Delegation.

HB 454, relative to the preservation of wooden covered bridges. (Potter of Northumberland) to Public Works.

HB 455, relating to tobacco tax license fees. (Bednar of Hudson) to Ways and Means.

HB 456, relative to weights and lengths of certain vehicles. (McGee of Lincoln) to Transportation.

HB 457, increasing fees for fish and game licenses. (Hanson of Bow) to Fish and Game.

### Committee Reports

HB 202, relative to health insurance for state employees, Mr. Wheeler of Exeter for Insurance. Inexpedient to Legislate.

The resolution was adopted.

HB 218, relating to the filing of certificates of insurance by carriers of property and passengers for hire by motor vehicle, Mr. Wheeler of Exeter for Insurance. Ought to pass with amendment.

#### **Amendment to HB 218**

Amend section 1 by striking out the words and figures "pursuant to RSA 412" at the end thereof, so that said section as amended shall read as follows:

1 Motor Carriers of Property. Amend RSA 375 by inserting after section 2 the following new section: 375:2-a Certificates of Insurance. In lieu of an indemnity bond or insurance policy as required by the preceding section, the commission may accept a certificate of insurance issued by a company authorized to transact business in this state.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 322, relative to real estate owned by domestic life insurance companies, Mr. Wheeler of Exeter for Insurance. Ought to pass.

The bill was ordered to a third reading.

HB 12, providing for a commission to study the state constitution, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

#### **Amendment to HB 12**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Commission Established. There is hereby established a commission consisting of nine members who are authorized and directed to study the constitution of the state, and, if the commission determines that amendments to the constitution are needed, it shall recommend such amendments to the next constitutional convention. Two of said members shall be appointed by the speaker of the house of representatives, two by the president of the senate and the remaining five by the governor. The members so appointed shall select from their number, a chairman, secretary and such other officers and sub-chairman as they shall deem necessary and proper. The



members so appointed shall hold such public meetings as they deem proper in order to gain the sense of the public relative to any proposed change in the constitution.

2 Compensation. The members of said commission shall serve without compensation but may be reimbursed from the funds hereby appropriated for necessary expenses as the chairman shall approve.

3 Professional and Clerical Assistants. The commission may employ and fix the compensation of, within the limits of the appropriation, such professional and clerical assistants as may be necessary.

4 Recommendations. Any changes in the constitution proposed by the commission, along with any factual or explanatory material the commission shall deem appropriate, shall be printed by the commission in a report. Such report shall be prepared not later than January 1, 1964. Thereafter the commission is instructed to give its report wide public dissemination through whatever news media the commission shall deem proper in order that candidates for election to the constitutional convention shall be appraised of the recommendations of the commission prior to said election. Upon the election of delegates to said constitutional convention, the commission shall distribute to each delegate a copy of its report. The commission shall submit its recommendations to the constitutional convention in accordance with the rules adopted by said convention.

5 Appropriation. The sum of ten thousand dollars is hereby appropriated for the commission to be expended as herein provided. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated. The commission is further authorized to accept additional funds that may be offered from any charitable organization and to expend such funds as may be received, in addition to the funds hereby appropriated, as the commission shall deem proper to carry out the aforesaid purposes.

6 Takes Effect. This act shall take effect immediately upon its passage.

\* \* \*

The amendment was adopted and the bill was sent to Appropriations under the Rules.

HB 196, relative to sale of ice cream by weight, Mr. Green of Rollinsford for Public Health, Inexpedient to Legislate.

Mr. Keefe of Portsmouth moved that HB 196 be re-committed to the committee on Public Health and spoke in favor of the motion.

The motion was not adopted and the resolution of the committee was adopted.

HB 320, relating to packages containing bread, cake or doughnuts, Mr. Green of Rollinsford for Public Health. Inexpedient to Legislate.

The resolution was adopted.

HB 217, relative to pharmacy fees and board assistants, Mr. Green of Rollinsford for Public Health. Ought to pass with amendment.

#### **Amendment to HB 217**

Amend said bill by striking out section 2 and 3 and re-numbering sections 4, 5, 6 and 7 to read 2, 3, 4, and 5.

\* \* \*

Mr. Kimball of Manchester explained the bill.

The amendment was adopted and the bill was ordered to a third reading.

HB 174, relative to limitation on expenditures under municipal budget act, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to Legislate.

The resolution was adopted.

HB 227, relative to taxation of life insurance companies, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to Legislate.

Mr. Hancock of Concord moved that HB 227 be referred to the Legislative Council and spoke in favor of the motion.

Mrs. Palmer of Plaistow spoke against the motion.

Messrs. Larty of Haverhill and Countermarsh of Lebanon spoke in favor of the motion.

Mr. Hancock of Concord spoke a second time in favor of the motion.

On a *viva voce* vote the Nays appeared to have it.

Mr. Hancock requested a division.

111 members having voted in the affirmative and 206 in the negative the motion was lost.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 189, authorizing real estate tax exemptions for certain women over the age of sixty-two years, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to Legislate.

Mrs. Morrison of Salem spoke against the resolution.

Mr. Taft of Greenville moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate.

The motion was not adopted.

The resolution of the committee was adopted.

### Personal Privilege

Mr. Clement of Rochester rose on a point of personal privilege as follows:

Mr. Speaker, in view of the fact that the Concord Monitor had an article in its front page Monday pertaining to myself and due to the editorial this morning in the Manchester Union, I thank you for this privilege of appearing before this House under a point of personal privilege because I think some things need to be laid straight here this morning. Now, the first thing, Mr. Speaker, I would like to say in regards to the editorial in the Manchester Union that I personally have been against a sales tax. I am sure that everyone in this House realizes and knows full well that both platforms of both the major political parties were against a sales tax and I trust that neither political party this year will bring forth that monster in my mind known as a "sales tax". However, I know and can perhaps understand, Mr. Speaker, that many members of this House are wondering how we are going to balance the budget. What we are going to do in addition for education over and above what is recommended in the budget. How we are going to implement the platforms in both political parties, a platform of increased aid

to education, in fact I am not too sure some of us have had too many of them. I felt that as Chairman of the House Appropriations Committee, it became my responsibility to lay before you the facts as I see them on work that has been conducted in the past 4 or 5 weeks with the assistance of one of the greatest fiscal people in this state and that is our own Legislative Budget Assistant Remick Leighton. So, I am going to present to you what I feel with the assistance of Remick Leighton and I am sure the Appropriations Committee feels is the condition of the State's finances in the next two years. I would like to drop a major bombshell by saying that working with the figures that I am going to present you, I don't believe we need any new taxes in this year or in this present biennium — none at all. No cigarette tax, no tobacco tax and no beer tax and of course, violently, no sales tax. I am going to say that this Body, and I have said it many times to Republicans and Democrats alike, I have a tremendous feeling for the overall final conclusion and final vote of this august body. Generally speaking, the vote of these 400 members is generally a good vote and I am always very happy to abide by them, thinking they are the proper thing to do, is the conclusion that we come up with. Now with what I am going to explain to you today and the condition of our finances would allow you to do some of the things that I have heard talked about in caucuses, in the men's room, out here, down in the lunch room, in the halls and aisles, and locked up behind closed doors. I am going to say that we would have available funds without any increased taxes to take the 20 needy towns, the impacted towns due to the school situations that exists in these towns and give them \$100,000 a year. I am going to say to you that we could repeal the per capita tax that is assessed by the State against the cities and towns at \$2.00 a head on the school children which amounts to \$230,000 a year. I am going to say to you that we have funds that are available so that we could increase the General Services of the teacher's colleges — both Keene and Plymouth to the extent of \$125,000 a year. Now these are not my ideas, but the ideas I have heard in the halls that so many people want and certainly is needed in many avenues. I am going to also say to you, Mr. Speaker and members of this House this morning that funds are available to give \$500,000 a year additional Foundation Aid over and above the Governor's recommendation. I am also going to say to you, Mr. Speaker, that in the compilation of these figures, I have allowed for an adjustment of a

maximum of \$400,000 a year in each year of the biennium for adjustments in the budget where adjustments are needed over and above the Governor's recommendations and finally, I am going to say to you that this leaves \$700,000 to take care of Legislative Specials and I was born in Vermont and I am an old Vermont conservative and I am going to not let you hang here because certainly if I am going to present to the floor here today under personal privilege, Mr. Speaker, I should be able to give the Legislature perhaps some real reason why this can be done. Now I went back to 1956 — or I didn't, I asked the Legislative Budget Assistant and I have taken, for instance, railroads. The taxes on railroads which have been decreasing and I have decreased them and I am going to recommend to you this morning in the addition of these funds that this has been reduced by \$80,000 under the previous biennium's estimate. Now I have taken the telephone companies — in 1956 they had a 9.22% increase — I am talking about revenues — in 1957 they had an 8.5% increase — in 1958, 18.87% — 1959, 14.87% — 1960, 14.67% — 1961, 11.40% — 1962, 8.57% — 1963 estimated, actual now 10.25%. This is an average of 12.29% increase over each year and in the figures that I am going to give you, I have only increased them 7% — taking a 7% average over the previous year. Now another large legacy tax, I didn't think and I think Mr. Remick thought that we should not increase them because this is something that is hard to decide. We have in 1962 collected \$1,939,310 but we have left the estimate at \$1,700,000. Let's go down to Tobacco Tax. In 1956, we had a 3.50% increase, 1957 — 4.0; 1958 — 7.71%; 1959 — 12.35%; 1960 — 6.63; 1961 — 6.02; 1962 — 6.52%. This is an average of 6.68% and we have used the average of only 5%. So these figures are conservative. Insurance. I won't go through the balance of them unless someone requests it but the average increase in the insurance has been 5.90% over the previous year. We have used the figure of only 5%. Other Services — although the increase is — averages 14, we have only used the figure of 5%. I get down here into Liquor Revenue, the average increase is 7.68% and we have only used an average — we have used the figure of 5%. Racing Revenue. We have used exactly the figure as given by the Racing Commission. We have not over-estimated it in any way, shape or manner. According to our figures and they are conservative because we figured the Head Tax not at \$1,400,000 because only one year since the Head Tax has been in force has the Head Tax

produced to the State \$1,400,000. We have in our estimates here used the figure for the Head Tax maintained at the State level, the figure of \$1,375,000 a year, which is \$50,000 under Administration and Control's estimate. These estimates give this Body — the Legislature an income of \$3,028,410 for the biennium over and above Administration and Control's records. Now in the years past, many times we have taken — because nobody wanted to disagree and nobody wanted to perhaps debate it or argue it, the figures of Administration and Control. I think this Legislature has available to it people who are far more educated and their predictions far more reliable than those from Administration and Control. I present this budget or this recommendation merely as information, Mr. Speaker. I am not making recommendations what this House does. I am just saying that revenues are available to do as I said before, to take care of the impacted towns, to return the per capita tax to cities and towns, to make adjustments in the Keene and Plymouth Teachers' Colleges where needed at the rate of \$125,000 a year, to add \$500,000 a year to Building Aid and to give the Appropriations Committee for recommendation to this House an item of \$400,000 a year or \$800,000 in the biennium for adjustments that need to be made. Now, I think this is sound fiscally and I feel that I should as Chairman of the Appropriations Committee, Mr. Chairman, after the articles that have been appearing in the papers, I think that sometimes in the past, Mr. Speaker, that the Legislature has been perhaps a little — have a little feeling that perhaps we shouldn't exercise the responsibilities that are given to us under the Constitution. This is the Legislative Body of our government. I have never had the honor or any reason to feel that I wanted to be in the Executive Branch. I am very happy here, but I think the time has come and I said this 2 years ago, I don't want anyone to attach any political coloring to it in any way, shape or manner because I am sure that you all know that one of my dear friends is our present Governor, John King. But I feel that we have the responsibility as a Legislative Body to assume these responsibilities that were given to us under the Constitution, therefore, Mr. Speaker, I thank you for this privilege to come before this Body today under a personal privilege. I have some facts and figures up in the Appropriations Committee office if any of them would care to have them in any way, shape or manner I would be glad to go over them with you. Thank you.

On motion of Mr. Pickett of Keene Mr. Clement's remarks were ordered printed in the Journal for today.

### Communication

March 20, 1963

Hon. Stewart Lamprey  
Speaker of the House of Representatives  
Concord, N. H.

Dear Mr. Speaker:

Please consider this my letter of resignation as a member of the House of Representatives, effective Thursday, March 21, 1963. This is caused by a federal appointment.

Very truly yours,

Alton G. Desnoyer  
Representative from Claremont

The resignation was referred to the Elections Committee.

\* \* \*

The Chair announced that Mr. Desnoyer of Claremont had been appointed Postmaster of Claremont.

### Resolutions

Mr. Underhill from Nashua offered the following Resolutions for the Nashua Delegation:

*Whereas*, Blaylock Atherton of Nashua, has passed away, and

*Whereas*, He was a former Representative from Nashua for several sessions, President of the State Senate 1951-1952 and Acting Governor of the State for several months in 1952, a former director of the New Hampshire Water Resources Board, a former member of the State Public Utilities Commission and held the rank of Major on the staff of former Governor Robert O. Blood 1941-1945, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his city and state and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be forwarded to his widow, Mrs. Katherine B. Atherton.

On a standing vote the resolutions were unanimously adopted.

\* \* \*

Mr. Perkins of Alton offered the following resolutions:

*Whereas*, Frank M. Ayer of Alton, has passed away, and

*Whereas*, he was a former Representative from Alton for two terms, Assistant Clerk of the State Senate for eighteen years, Judge of the Municipal Court of Alton for twenty-two years, Selectman for twenty-six years, Moderator for twenty years and served on many committees and boards in the town and county, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his county, town and state and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, that a copy of these Resolutions be forwarded to his widow, Mrs. Stella F. Ayer.

The resolutions were unanimously adopted.

\* \* \*

The Chair announced that last Sunday was the birthday of Mr. Bouvier of Swanzey, and that today is the birthday of Mrs. Fontaine of Berlin.

### Senate Message

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 165, relative to the sale of the Franklin armory.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House ad-



journs today it be in memory of Blaylock Atherton, and to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 218, relating to the filing of insurance by carriers of property and passengers for hire by motor vehicle.

HB 322, relative to real estate owned by domestic life insurance companies.

HB 217, relative to pharmacy fees and board assistants.

\* \* \*

On motion of Mrs. Adams of Charlestown the House adjourned at 12:24 P.M. in memory of Blaylock Atherton of Nashua.

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THURSDAY, MARCH 21, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Ann Miller from Wolfeboro, Chaplain for the N. H. Youth Government Program, as follows:

LORD, make me an instrument of Thy peace.

Where there is hatred, let me sow love;

Where there is injury, pardon;

Where there is doubt, faith;

Where there is despair, hope;

Where there is darkness, light;

Where there is sadness, joy.

O Divine Master, grant that I may not so much seek  
to be consoled, as to console;  
to be understood, as to understand;  
to be loved, as to love.

For it is in giving that we receive;  
It is in pardoning that we are pardoned;  
It is in dying that we are born to eternal life.

— Saint Francis of Assisi (1182-1226)

### **Pledge of Allegiance to the Flag**

Mr. Underwood of Chester led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced the following officers of the N. H. Youth Government Program:

Speaker, Steven James, Concord  
Clerk, Lynne Gaillardetz, Laconia  
Asst. Clerk, Marilyn Peck, Rochester  
Chaplain, Ann Miller, Wolfeboro  
Majority Leader, Russell Martin, Concord  
Sgt.-at-Arms, Grover Jones, Winchester

### **Leave of Absence**

Mr. Bigelow of Warner was granted a leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 458, relative to hunting on private lands. (Brooks of Stewartstown) to Judiciary.

HB 459, relative to the powers of Belknap College. Rules Committee (Mr. Matheson of Center Harbor) to Education.

HB 460, relative to securing federal assistance in the protection of the shore line at Wallis Sands. (Rules Committee — Messrs. Pappagianis of Nashua and Peterson of Peterborough) to Resources, Recreation and Development.

On motion of Mr. Peterson of Peterborough printing of HB 460 was dispensed with.

### **HB 460**

An act relative to securing federal assistance in the protection of the shore line at Wallis Sands.

1 Authority Granted. In order that the state may avail itself of federal assistance in measures necessary for the protection of the shore at Wallis Sands, such measures being described as the Wallis State Beach Development Project, so-called, and any modifications thereof, the governor and council are hereby authorized to render such assurances to the federal government on behalf of the state as the federal government may require, including but not limited to, an assurance that the state of New Hampshire will hold and save the United States free from all claims for damages that may arise before, during or after prosecution of the work.

2 Takes Effect. This act shall take effect upon its passage.

### **Introduction of a Guest**

The Chair introduced J. Walker Wiggin, former Speaker of the House and President of the Constitutional Convention, who addressed the House briefly.

### **Committee Reports**

HB 25, providing an appropriation for the state council in aging, Mrs. Taylor of Whitefield for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 144, relative to retired members of the policemen's retirement system, Mr. Ring of Hampton for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 157, relative to the construction of a residence hall at the University of New Hampshire, and to be liquidated from income, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was referred to the committee on Appropriations under the Rules.

HB 205, relative to the salary of the director of safety services, Mrs. Clark of Lee for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 272, relative to outstanding checks, Mr. Smith of Plymouth for Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to HB 272**

Amend RSA 6:10-a as inserted by section 1 of the bill by inserting after the word "checks" in the fifth line the words and figures, except those drawn on special funds created under RSA 282, so that said section as amended shall read as follows: 6:10-a Checks to be Void. The state treasurer is authorized and directed to cancel of record, and refuse to honor, all state checks, except those drawn on special funds created under RSA 282, which have not been presented for payment within six years from the date of issue.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 350, relative to salaries of certain legislative attaches, Mr. Lewis of Lebanon for Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to HB 350**

Amend the title of said bill by striking out the word "certain" so that said title as amended shall read as follows: An act relative to legislative attaches.

Amend said bill by inserting after section 3 the following new section:

4 Legislative Attaches. Amend RSA 14 by adding after section 24-a (supp) as inserted by 1961, 280:3 the following new section: 14:24-b Longevity. Any attache named in sections 24 and 24-a who shall have served as legislative attache for five regular sessions of service shall be entitled, in addition to the salary provided therein, an additional fifty cents a day for each additional five sessions of service; each for six days a week.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

5 Takes Effect. This act shall take effect as of January 2, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 150, providing for the calling of a constitutional convention, Mr. Healy of Manchester for Judiciary. Ought to pass with amendment.

### **Amendment to HB 150**

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Date of Convention. The date of the convention herein provided for shall be the second Wednesday of May, 1964, at 11 A.M.

Amend section 4 of said bill by striking out the words "and twenty-five" in the first and second lines, so that said section as amended shall read as follows:

4 Appropriation. The sum of one hundred thousand dollars is hereby appropriated for paying the expenses of said convention and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 280, providing for a constitutional convention, Mrs. Cooper of Nashua for Judiciary. Inexpedient to legislate, subject matter covered by pending legislation.

The resolution was adopted.

HB 254, relative to discrimination in the sale of beverages, Mr. Collishaw of Exeter for Liquor Laws. Inexpedient to legislate.

The resolution was adopted.

HB 188, relative to the construction of a new instructional building and the remodeling of certain present buildings at the University of New Hampshire, Mrs. Demers of Lebanon for Education. Ought to pass.

HB 188 was referred to Appropriations under the Rules.

HB 190, providing for transportation aid to school districts, Mrs. Demers of Lebanon for Education. Ought to pass.

HB 190 was referred to Appropriations under the Rules.

HB 264, relative to qualification by school districts for state financial aid, Mrs. Demers of Lebanon for Education. Inexpedient to Legislate.

Mr. Stevenson of Bethlehem moved that the words, Ought to pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. Stevenson subsequently withdrew his request.

The question now being on the resolution of the committee, Inexpedient to legislate.

Mr. Pickett of Keene spoke against the resolution.

Mr. Angus of Claremont renewed the motion that the words, Ought to pass, be substituted for the words, Inexpedient to legislate.

Mr. O'Neil of Chesterfield spoke against the motion.

(discussion ensued)

On a *viva voce* vote the Yeas appeared to have it.

Mr. O'Neil of Chesterfield requested a division.

186 members having voted in the affirmative and 150 in the negative the motion was adopted.

The question now being, shall the bill be read a third time.

Mrs. Greene of Rye moved that HB 264 be recommitted to the Education committee and spoke in favor of the motion.

Mr. Urie of New Hampton spoke in favor of the motion.

(discussion ensued)

Mr. Angus of Claremont spoke against the motion.

The motion was not adopted.

The question now being, shall the bill be read a third time.

The bill was ordered to a third reading.

SB 12, relative to costs of educating intellectually retarded children, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was ordered to a third reading.

\* \* \*

Mrs. Greene of Rye moved that the rules of the House be so far suspended as to allow the introduction of a committee report not previously advertised in the Journal for two days and spoke in favor of the motion.

Mr. Hill of Conway spoke in favor of the motion.

The motion was adopted.

### **Committee Report**

HB 425, relative to the Rye water district, Mr. Palmer of Kensington for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

### **Special Order for 11:01**

HB 179, relative to the registration of lobbyists. (Question on committee resolution, Inexpedient to legislate).

Mr. Maloomian of Somersworth moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Messrs. York of Concord and McMeekin of Haverhill spoke against the motion.

The motion was not adopted.

The question now being on the resolution of the committee, Inexpedient to legislate.

The resolution was adopted.

\* \* \*

On motion of Mr. Johnson of Hanover the resignation of Mr. Desnoyer of Claremont was accepted.

### Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 130, An act relative to participation by the State of New Hampshire in the New York World's Fair.

Mrs. Potter of Northumberland

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for 3:00 this afternoon be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 25, providing an appropriation for the state council in aging.

HB 144, relative to retired members of the policemen's retirement system.

HB 272, relative to outstanding state checks.

HB 350, relative to salaries of legislative attaches.

HB 264, relative to qualification by school districts for state financial aid.

HB 425, relative to Rye Water District.

\* \* \*

SB 12, relative to costs of educating intellectually retarded children, was read a third time, passed, and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Pickett of Keene, having voted with the majority moved that the House reconsider its vote whereby it passed HB



264, relative to qualification by school districts for state financial aid, and spoke against the motion.

The motion was not adopted.

\* \* \*

On motion of Miss Cole of Nashua the House adjourned at 12:28 P.M.

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TUESDAY, MARCH 26, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Reverend Roswell O. Moore, Guest Chaplain from Christ Episcopal Church of Exeter, as follows:

Almighty God, our heavenly father, bless our country that it may be a blessing to the world; grant that our ideals and aspirations may be in accordance with thy will and help us to see ourselves as others see us. Keep us from hypocrisy in feeling or action. Grant us sound government and just laws, good education and a clean press, simplicity and justice in our relations with one another, and above all a spirit of service which will abolish pride of place and inequality of opportunity; that Thy name may be glorified, world without end. Amen.

### **Pledge of Allegiance to the Flag**

Mr. O'Shan of Laconia led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Miss Whipple of Lebanon was granted an indefinite leave of absence on account of illness.

Messrs. Langford of Raymond and Perkins of Alton were granted leave of absence for the week on account of important business.

Messrs. Guest of Cornish and Casassa of Hampton were granted leave of absence for the week on account of illness.

Messrs. Pinkham of Northwood, Cobleigh of Nashua and Gay of Derry were granted leave of absence for the day on account of important business.

Mrs. Blanchette of Dover was granted leave of absence for the day on account of illness.

Mr. Lambert of Hooksett was granted leave of absence for the week on account of illness in the family.

### Introduction of bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 461, relative to school attendance. (Willey of Campton) to Education.

HB 462, repealing certain taxes and providing for additional revenue of the state, including a retail sales tax. (Ferguson of Concord) to Ways and Means.

HB 463, relative to tenure of office of the chief of police of the city of Dover. (Maglaras of Dover) to Dover Delegation.

HB 464, establishing a consumers' counsel. (Hancock of Concord) to Judiciary.

HB 465, relative to posting warrants for election of school district officers at town meeting. (Wiggin of Bedford and Claveau of Hudson and Mrs. Greene of Rye) to Municipal and County Government.

HB 466, relating to extradition of juveniles. (Moran of Manchester) to Judiciary.

HB 467, relative to use of bond proceeds and temporary loans under municipal finance act. (Stearns of Hinsdale) to Municipal and County Government.

HB 468, relative to revocation and suspension of drivers' licenses. (Cobleigh of Nashua) to Judiciary.

HB 469, relative to rescinding provisions for adoption of town manager plans. (Rules Committee — Pryor of Ashland) to Municipal & County Government.

HB 470, providing for a referendum for dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough. (Eaton of Hillsborough) to Municipal & County Gov.

HB 471, adopting certain provisions of the uniform vehicle code. (Claflin of Wolfeboro) to Transportation.

HB 472, relating to chemical test for intoxication. (Johnson of Hanover and Pappagianis of Nashua) to Judiciary.

HB 473, reducing the time for the presentation of claims in the administration of insolvent estates. (Frizzell of Charlestown) to Judiciary.

HB 474, providing for the judicial review of orders transferring incorrigibles from industrial school to other state institutions. (Moran of Manchester) to Public Welfare & State Institutions.

HB 475, relating to trustee process on banks and similar corporations. (Rules Committee — Spanos of Newport) to Judiciary.

### Committee Reports

HB 375, relative to veterinarians, Mr. Underwood of Chester for Agriculture. Ought to pass.

The bill was ordered to a third reading.

HJR 18, in favor of John Wakefield, Mr. Henry of Concord for Claims and Aeronautics. Inexpedient to legislate.

The resolution of the committee was adopted.

SJR 5, in favor of Joseph W. Ryan, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The SJR was ordered to a third reading.

HB 212, authorizing the use of the name New Hampshire Life Insurance Company, Mr. Wheeler of Exeter for Insurance. Ought to pass.

The bill was ordered to a third reading.

HB 298, relative to the sale of liquor and beverages in private clubs, Mr. Marsan of Rochester for Liquor Laws. Inexpedient to legislate.

The resolution was adopted.

HB 277, relative to limitation on appropriations in towns adopting municipal budget act, Mrs. Gowing of Dublin for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 277**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Municipal Budget. Amend RSA 32:8 by striking out said section and inserting in place thereof the following:

32:8 Limitation of Appropriations. So long as the provisions of this chapter shall remain in force in any town the total amount appropriated at any annual or special meeting of the town, school district or village district wholly within said town, shall not exceed by more than ten per cent the total amount recommended in the budget for said meeting, provided, however, that if the total amount recommended in the budget for said meeting is in excess of two hundred thousand dollars the total amount appropriated at said meeting shall not exceed by more than five per cent the total amount recommended in the budget for said meeting. No appropriation shall be made for any purpose not included in said budget. The budget committee may also submit without approval items which they do not wish to recommend but which they believe the voters should be allowed to consider and act upon, either favorably or unfavorably. Money may be raised and appropriated for such items but not to an amount which would increase the total appropriations as recommended by the budget committee by more than ten per cent, or if the recommended budget is in excess of two hundred thousand dollars, by more than five per cent, allowed hereunder. The ten per cent, or five per cent, increase above the total amount specified in the budget for said meeting shall be computed on the total amount recommended less that part of any appropriation item which is to be raised by the issuance of bonds and notes.

\* \* \*

Mrs. Palmer of Plaistow moved that HB 277 be indefinitely postponed and spoke in favor of the motion.

Messrs. Hanson of Bow, Bednar of Hudson and Hill of Conway spoke against the motion.

Messrs. Coutermarsh of Lebanon, McMeekin of Haverhill spoke in favor of the motion.

The question being on the motion to indefinitely postpone HB 277.

The motion was adopted.

HB 170, relative to part payment of real estate taxes, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 102, imposing tax on television signal distribution system, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 52, providing for the assessment of a special poll tax for school purposes, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate, subject matter covered by pending legislation.

The resolution was adopted.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to vacate the order whereby HB 460, relative to securing federal assistance in the protection of the shore line at Wallis Sands, was referred to the committee on Resources, Recreation and Development, that public hearing be dispensed with, and that the bill be acted upon at the present time, and spoke in favor of the motion.

The motion was adopted.

The bill was ordered to a third reading.

### Senate Messages

The Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 8, in favor of Philip E. Johnson.

**Introduction of SJR 8**

SJR 8, in favor of Philip E. Johnson, was read a first and second time and referred to Claims and Aeronautics.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled joint resolution sent up from the House of Representatives:

HJR 9, in favor of Harry L. Hurlbert.

**Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill and House Joint Resolution:

HB 165, An act relative to the sale of the Franklin armory.

HJR 9, Joint resolution in favor of Harry L. Hurlbert.

Mrs. Potter of Northumberland

**Personal Privilege**

Mr. Wheeler of Exeter rose on a point of personal privilege.

\* \* \*

The Chair announced that today is the 85th birthday of Mr. Kelley of Littleton.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

SJR 5, in favor of Joseph W. Ryan, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 212, authorizing the use of the name New Hampshire Life Insurance Company.

HB 375, relative to veterinarians.

HB 460, relative to securing federal assistance in the protection of the shore line at Wallis Sands.

\* \* \*

On motion of Miss Faulkner of Keene the House adjourned at 11:59 A.M.

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WEDNESDAY, MARCH 27, 1963

The House met at 11:00 A.M.

#### Joint Convention

Prayer was offered by Guest Chaplain, Reverend Daniel Novotny, of the Durham Community Church, as follows:

Eternal God, our Heavenly Father, who art the source of our life and the end of our pilgrimage, we praise Thee and bless Thee for Thy presence with us all our days. Thou has placed us in positions of power and opportunity. In a world of increasing tyranny help us to commend our democracy through the integrity of our government. Forgive us if we lose sight of our goals for immediate gain. We pray that the benefits of our time and place may not blind us with pride and self-satisfaction. To power, add humility; to justice — charity. Keep us resolute and steadfast in the things that cannot be shaken. Make us to lift up our eyes and behold, beyond the things which are temporal, the things which are unseen and eternal. Amen.

### **Pledge of Allegiance to the Flag**

Mr. McMeekin of Haverhill led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of women from Cheshire County Women's Republican Club.

The Chair also introduced students from the Haverhill Academy senior class.

The Chair further introduced a group of student council and officers from the Hampton Junior High School.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 476, relating to the grading, marketing, and sale of eggs. (Adams of Madbury) to Agriculture.

HB 477, relative to the members of the public utilities commission. (Hancock of Concord) to Executive Departments and Administration.

HB 478, relative to the Beaver Brook Flood Control Project. (Pratt of Keene) to Resources, Recreation and Development.

HB 479, relative to cocktail lounges in restaurants. (Angus of Claremont) to Liquor Laws.

HB 480, relative to the sale of liquor in restaurants. (Maglaras of Dover) to Liquor Laws.

HJR 23, in favor of Roland LaPerle. (Rules Committee — Marsh of Colebrook) to Claims & Aeronautics.

#### **Committee Reports**

HB 317, providing additional retirement allowances for certain retired teachers, Mr. Langford of Raymond for Executive Departments and Administration. Ought to pass.



The Chair referred HB 317 to the committee on Appropriations under the Rules.

HB 347, relating to state stores and licensed premises, Mr. Nahill of Claremont for Liquor Laws. Inexpedient to legislate.

The resolution was adopted.

HB 331, relative to audit of county books by tax commission, Mr. Hayward of Milford for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 250, relative to adoptions, Mr. Maxham of Concord for Public Welfare and State Institutions. Ought to pass with amendment.

### **Amendment to HB 250**

Amend section 2 of the bill by inserting after the word "agency" in the sixth line the words, or child-caring agency, and by striking out the words "commissioner of health and" in the seventh line and inserting in place thereof the words, director of the division of, so that said section as amended shall read as follows: 2 Placement by Mother. Amend RSA 170:3 by striking out said section and inserting in place thereof the following: 170:3 License Required. It shall be unlawful for any person, firm, corporation or association to establish, maintain, operate or serve as a child-placing agency or child-caring agency unless licensed to do so by the director of the division of welfare. Provided, that this section shall not apply to state, county and town officials performing authorized welfare functions, nor shall it apply to the placement of a child by the natural mother of such child in the home of her relatives by blood or marriage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 339, relative to assessing abutters for sidewalks, Mr. Young of Rye for Public Works. Ought to pass.

The bill was ordered to a third reading.

HB 341, relating to the apportionment of costs of construction and protection of railroad-highway grade crossings, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

#### **Amendment to HB 341**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Method of Apportionment. Amend RSA 373:3 by striking out said section and inserting in place thereof the following: 373:3 Apportionment of Costs. Any order issued under the preceding section shall provide for the apportionment of the cost (1) between the railroads in interest if the crossing eliminated or improved is a railroad crossing or (2) between the railroad and the state, or the railroad and the municipality in which the crossing is situated or (3) between the railroad, the state, and the municipality, as appropriate to the class of highway involved. In making such apportionment the commission shall give due consideration to whether the railroad or the highway was first constructed, to the nature and volume of highway traffic, to the number of trains operated by the railroad at the crossing, and all other relevant facts and circumstances. After such reconstruction the abutments and superstructure of the bridge or underpass shall be maintained by the railroad, but the commission may direct that the wearing surface of a highway at the crossing be maintained by the state or by the town or city whenever it finds that justice so requires.

\* \* \*

Mr. Coutermarsh of Lebanon explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 210, in favor of certain agents of the fish and game department, Mr. Guilbault of Allenstown for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 251, relative to ice fishing, Mr. Cheney of Newton for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

\* \* \*

The Chair asked for unanimous consent of the House that HB 100, relative to the assessment and collection of a special head tax for state purposes, the report on which having been inadvertently omitted from the Journal for Tuesday, March 26, be placed in the calendar for action tomorrow (Thursday, March 28, 1963).

Such unanimous consent was granted.

\* \* \*

Mr. Marsan of Rochester withdrew his notice of reconsideration of HB 287, relating to the licensing of Auctioneers.

### **Senate Message**

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 425, relative to the Rye water district.

HB 148, relative to non-forfeiture benefits and reserve valuations of industrial life insurance policies.

\* \* \*

The Chair announced that today is the birthday of Mr. Thayer of Jefferson.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 210, in favor of certain agents of the fish and game department.

HB 251, relative to ice fishing.

HB 250, relative to adoptions.

HB 339, relative to assessing abutters for sidewalks.

HB 341, relating to the apportionment of costs of construction and protection of railroad-highway grade crossings.

\* \* \*

On motion of Mrs. Forbes of Marlow the House adjourned at 11:41 A.M.

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THURSDAY, MARCH 28, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O FATHER OF ETERNAL CREATION, whose beauty and loving-kindness we behold in the renewing of nature's glorious Springtime, flood our lives with the warmth of spiritual sunshine and eternal joy as we witness Thy divine summons from on high. Awaken us from the moral slumbers of complacency in our daily existence — enable us to rise above life's petty ambitions that bespeak our selfish desires — clothe us with fruitful purpose in our service to Thee in behalf of our Granite State citizens . . . Speak to us, O Father, of Thy mission — let Thy words of TRUTH resound from the mountain-tops and through the valleys of life. Grant to us the opportunities of patience, courage, and strength as we minister to the needs of a troubled world. Renew our faith in Thee, restoring our confidence and trust in Thy holy way. Grant unto our Governor, his Council, and the members of this Joint Convention the joys of accomplishment and achievement, knowing that we have met the challenges of this life through our faith and love for Thee.

In Thy Name we pray — Amen.

### Pledge of Allegiance to the Flag

Mr. Bragdon of Amherst led the Convention in the Pledge of Allegiance to the Flag.

### Introduction of Guests

The Chair introduced the Honorable Tom McIntyre, Junior U. S. Senator from New Hampshire who addressed the Convention briefly. Senator McIntyre then introduced Ivan A. Nestingen, Under secretary of the U. S. Department of Health, Education and Welfare, who addressed the Convention.

\* \* \*

On motion of Senator Paquette of the 13th District the Convention rose.

### House

The Chair introduced a group of 4th grade and special class students from Amherst.

### Leaves of Absence

Mr. Murch of Portsmouth was granted leave of absence for today and next week on account of important business.

Mrs. Brown of Sandwich and Mr. Howe of Tilton were granted leave of absence for the day on account of important business.

### Committee Reports

HB 348, to authorize banks to invest in service corporations, Mr. Delisle of Manchester for Banks. Ought to pass with amendment.

### Amendment to HB 348

Amend section 1 of the bill by inserting after the word "banks" in the seventh line the words, building and loan associations and cooperative banks, so that said section as amended shall read as follows:

1 Authority Granted. Amend RSA 384 by inserting after section 16-a (supp) as inserted by 1961, 248:3, the following new section: 384:16-b Service Organizations. Any bank, trust company, savings bank and trust company, loan and banking company, commercial bank, mutual savings bank, guaranty savings bank, building and loan associations, and cooperative banks, or similar institution which is chartered as such by this

state, may purchase the capital stock or obligations or otherwise invest or participate in or utilize the service of any organization operated primarily for the purpose of performing necessary clearing, bookkeeping, statistical and related services for the institution or other similar institutions, which services would otherwise necessarily be performed by the individual institution. Notwithstanding any contrary provision of law relating to investments by such banks, any of such banks may at any time have outstanding investments in a bank service organization not exceeding ten per cent of its capital funds as defined in RSA 387:1, IV at such time.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 340, relative to mileage rate for all state employees using privately owned passenger vehicles, Mr. Smith of Plymouth for Executive Departments and Administration. Ought to pass.

The bill was ordered to the committee on Appropriations under the Rules.

HB 143, relative to shooting humans while hunting, Mr. Vashaw of Berlin for Fish and Game. Inexpedient to legislate.

Mr. Stickney of Salem moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

(Mr. Angus in the Chair)

Mr. London of New London spoke against the motion.

(discussion ensued)

The question being on the motion to substitute.

The motion was lost.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 321, relative to the deposit of securities by domestic life insurance companies, Mr. Wheeler of Exeter for Insurance. Ought to pass.

The bill was ordered to a third reading.

(Speaker in the Chair)

HB 70, relative to approval of rates payable for care of dependent children, Mr. Maxham of Concord for Public Welfare and State Institutions. Majority, Inexpedient to Legislate. Minority, Ought to pass. Mr. Gamache of Manchester.

Mr. Gamache of Manchester moved that the words, Ought to Pass, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

(Mr. Taft of Greenville in the Chair)

Mr. Maxham of Concord moved that HB 70 be indefinitely postponed and spoke in favor of the motion.

Messrs. MacDonald of Concord and Kearns of Manchester spoke in favor of the motion.

The motion was adopted.

HB 116, relative to the taxation of horses, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

(Note) Mrs. Grey of Canaan wished to be recorded as voting against the resolution.

HB 310, relative to taxation of trailers on land owned by another, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 295, relative to the taxation of horses, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

(Note) Mrs. Grey of Canaan wished to be recorded as voting against the resolution.

(Speaker in the Chair)

HB 100, providing for the assessment and collection of a special head tax for state purposes, Mr. Howe of Tilton for Ways and Means, Ought to pass with amendment.

**Amendment to HB 100**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for the assessment and collection of a special head tax for town and city purposes.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Special Head Tax. There is hereby levied and assessed in 1963 and 1964 for the use of the cities and towns of the state a special head tax of five dollars upon each and every resident of the state, as defined herein over twenty-one and under seventy years of age.

2 Resident Defined. The word "resident" as used herein shall mean a person, whether a citizen or an alien, except paupers and insane persons, who has resided in this state for at least six months next preceding the date of each assessment of the head tax hereunder.

3 Time of Payment. Said head tax shall be assessed upon April 1, 1963, and April 1, 1964, and payable upon demand on or after each of said dates.

4 Collection. The selectmen of towns and assessors of cities shall on or before June 1, 1963 and June 1, 1964, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of taxes for such town or city directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected.

5 Penalty. There shall be added to any special head tax not paid in full on or before December first following the assessment thereof the sum of fifty cents which shall be collected with the tax as incident thereto.

6 Remedies for Collection. Said special head taxes may be collected by all of the means and methods provided in RSA 80 and the provisions of RSA 214:10 and RSA 260:4-6 as amended by 1955, 39:1, 2, 50:17, 125:1 and 1957, 13 shall apply to the special head tax assessed hereunder.



7 Husband Liable. A husband shall be liable for the payment of the special head tax assessed against his wife, if, when it was assessed, they were living together.

8 Abatements. Selectmen and assessors may abate any special head tax assessed against persons not subject thereto as provided in sections 1 and 2 of this chapter and upon written application may abate such tax when it appears that the payment thereof would impose an undue hardship upon the applicant or after all methods of collection provided by law have proved ineffective.

9 Supplies, Bills and Postage. The cost of providing printed tax bills, envelopes, or postal cards, and other supplies to be used in assessing and collecting such special head taxes shall be paid by the town or city wherein the taxes are collected.

10 Exemptions. All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax. Veterans totally and permanently disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than one thousand dollars a year, upon written request filed on or before April fifteenth, shall be exempt from the special head tax.

11 Disposition of Taxes. All funds received by a city or town under the provisions of this act shall inure to the benefit of said city or town.

12 Application of Statutes. No person obtaining an abatement under the provisions of section 8 shall for that action be precluded from voting under RSA 54:1.

13 Takes Effect. This act shall take effect as of April 1, 1963.

\* \* \*

The Clerk read the amendment in full.

Messrs. Peterson of Peterborough and Pappagianis spoke against the amendment.

The amendment was not adopted.

Mr. Peterson of Peterborough offered the following amendment and moved its adoption.

**2nd Amendment to HB 100**

Amend section 1 of said bill by striking out the word "sixty-five" in the fifth line and inserting in place thereof the word, seventy, so that said section as amended shall read as follows:

1 Special Head Tax. There is hereby levied and assessed in 1963 and 1964 for the use of the state a special head tax of five dollars upon each and every resident of the state, as defined herein, over twenty-one and under seventy years of age.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Time of Payment. Said head tax shall be assessed upon May 1, in the year 1963 and on April 1, in the year 1964, and payable upon demand on or after each of said dates.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Collection. The selectmen of towns and assessors of cities shall on or before July 1, in the year 1963 and on June 1, in the year 1964, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of taxes for such town or city directing said collector to collect such head taxes on or before December first next following and keep the same in a separate account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the total amount thereof. Upon application by the assessors the tax commission for good cause may extend the time for such delivery.

Amend section 15 of said bill by striking out the same and inserting in place thereof the following:

15 Exemptions. All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax. Veterans totally and permanently disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than one thousand dollars a year, upon written request filed on or

before May fifteenth, 1963, or on or before April fifteenth, 1964, shall be exempt from the special head tax for the respective year.

Amend section 19 of said bill by striking out the word "April" and inserting in place thereof the word, May, so that said section as amended shall read as follows:

19 Takes Effect. This act shall take effect as of May 1, 1963.

\* \* \*

The Clerk read the amendment in full.

(discussion ensued)

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mr. Peterson of Peterborough requested unanimous consent of the House that SB 12, relative to costs of educating intellectually retarded children, be reconsidered and that the Senate bill be referred to the committee on Appropriations.

Such unanimous consent was granted and SB 12 was referred to the committee on Appropriations.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and Senate Joint Resolution:

HB 148, An act relative to non-forfeiture benefits and reserve valuations of industrial life insurance policies.

HB 425, An act relative to the Rye water district.

SJR 5, Joint resolution in favor of Joseph W. Ryan.

HB 460, An act relative to securing federal assistance in the protection of the shore line at Wallis Sands.

Mrs. Potter of Northumberland and  
Mr. York of Concord

### **Senate Message**

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of

the following entitled bill sent up from the House of Representatives:

HB 460, relative to securing federal assistance in the protection of the shore line at Wallis Sands.

### **Personal Privilege**

Mr. Kimball of Manchester rose on a point of personal privilege.

\* \* \*

The Chair announced the birth of a son to Mr. and Mrs. Reddy of Hopkinton yesterday.

### **Personal Privilege**

Mr. Pickett of Keene rose on a point of personal privilege.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns to-day it be to meet next Tuesday morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

HB 100, providing for the assessment and collection of a special head tax for state purposes, was read a third time, passed and sent to the Senate for concurrence.

#### **Reconsideration**

Mr. Peterson of Peterborough, having voted with the majority, asked that the House reconsider its vote whereby it passed HB 100 and spoke against the motion.

The motion was not adopted.

\* \* \*

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 321, relative to the deposit of securities by domestic life insurance companies.

HB 348, to authorize banks to invest in service corporations.

\* \* \*

On motion of Mrs. Frizzell of Charlestown the House adjourned at 1:08 P.M.

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TUESDAY, APRIL 2, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O Father of infinite love and compassion, who has brought us in safety to view this day through service — be Thou our guide as we are confronted with the challenges of mortal living. Make us increasingly aware of our sacred responsibilities as members of this Joint Convention in keeping the faith placed in us by those whom we represent. Give us strength and courage to overcome our moments of despair and defeat. Light our pathway to victory with Thy divine wisdom and truth, that we may see beyond the eyes of men and seek those things of eternal value. Let Thy love reign in our hearts and may our judgments be tempered with mercy as we strive towards understanding life's realities. Gird those in places of authority and leadership with the gifts of Thy spirit, that through their efforts the freedoms we cherish will always be a vital part of our lives. In Thy Holy Name we forever depend and trust — Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Griffin of Auburn led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced a group of 7th grade students from Boscawen, courtesy of Mr. Fairbanks of Boscawen.

The Chair also introduced a group of Junior High School students from Chichester, courtesy of Mr. Hutchinson of Chichester.

### Leaves of Absence

Mr. Peaslee of Concord was granted leave of absence for the week on account of illness.

Mr. Levasseur of Manchester was granted leave of absence for two weeks on account of important business.

Mr. Dubois of Nashua was granted an indefinite leave of absence on account of illness.

Messrs. Bouchard and Desilets of Berlin were granted leave of absence for the week on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 481, relative to classification of surface waters of Pemigewasset river watershed. (Urie of New Hampton) to Res., Rec. & Dev.

HB 482, relative to lending institutions holding funds on mortgaged real estate for the payment of taxes. (Bednar of Hudson) to Banks.

HB 483, providing for the acquisition of certain water rights and dams controlling the headwaters of the Salmon Falls River. (Dawson of Milton) to Res., Rec. & Dev.

HB 484, relative to special weight limits for trucks hauling forest products during winter months. (Sherman of Lancaster and Bouchard of Berlin) to Transportation.

HB 485, relative to building and loan associations. (Pappagianis of Nashua) to Banks.

HB 486, relative to obscene literature. (Moran of Manchester — Ward 8) to Judiciary.

HJR 24, in favor of John and Thomas J. McIntyre. (Prescott of Laconia) to Appropriations.

HJR 25, relative to Bell Tower at Cathedral of the Pines. (Allen of Rindge) to Appropriations.

HJR 26, in favor of Albert E. Jones and Theresa Jones. (Shepard of Londonderry — Rules Committee) to Appropriations.

HJR 27, in favor of Arthur Webster and Helen Webster. (Shepard of Londonderry — Rules Committee) to Appropriations.

HJR 28, in favor of Chanel L. Lavoie. (Shepard of Londonderry — Rules Committee) to Appropriations.

### Committee Reports

HB 241, limiting authority of state agencies, Mrs. Marx of Langdon for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 365, relative to definitions under the teachers' retirement system, Mr. Sherman of Lancaster for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

SJR 7, relative to the Russian-Japanese Fund, Mr. Healy of Manchester for Judiciary. Ought to pass.

The resolution was ordered to a third reading.

HB 355, requiring reports for games of beano, Mr. Healy of Manchester for Judiciary. Inexpedient to legislate.

Mr. Angus of Claremont moved that HB 355 be recommended to Judiciary and spoke in favor of the motion.

Mr. Walsh of Manchester spoke in favor of the motion.

(discussion ensued)

Mr. Bednar of Hudson spoke in favor of the motion.

The motion was adopted.

SB 15, relative to requirements for licenses under small loans act, Mrs. Frizzell of Charlestown for Judiciary. Inexpedient to legislate.

Mr. Peterson of Peterborough moved that SB 15 be made a Special Order for Tuesday next (April 9) at 11:01 A.M. and spoke in favor of the motion.

The motion was adopted.

HB 376, establishing the elevator inspection law, Mr. Stevenson of Bethlehem for Labor. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 58, relative to minimum treatment standards for sewage and industrial wastes, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### **Amendment to HB 58**

Amend sub-paragraph (a) of paragraph V of RSA 149:3, as inserted by section 1 of the bill, by adding at the end thereof the words, when so ordered by the commission, so that said sub-paragraph as amended shall read as follows:

(a) For sewage, primary treatment resulting in the substantially complete removal of settleable solids when so ordered by the commission.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 221, relative to state guarantee of municipal bonds and water pollution projects, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### **Amendment to HB 221**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Water Pollution Projects. Amend RSA 149:5 (supp) as amended by 1957, 213:2 and 1961, 182:1 by striking out the word "fifteen" in the fifth line and inserting in place thereof the word, twenty-five, and by inserting after the word "guarantee" in the eleventh line the words, the outstanding amount of principal and interest on such bonds and notes, the payment of which has been guaranteed by the state under the provisions of this section, shall at no time exceed the amount of twenty-five million dollars, so that said section as amended shall read as follows: 5 State Guarantee. In view of the general public benefits resulting from the elimination of pollution from the public waters of the state, the governor and council are authorized in the name of the state of New Hampshire to guarantee unconditionally, but at no time in excess of the total aggregate sum for the entire state of twenty-five million dollars, the payment of all or any portion, as they may find to be in the public interest, of the principal of and interest on any bonds or notes issued by any municipality, town, city, county, or district for



construction of sewage systems, sewage treatment and disposal plants, or other facilities necessary, required or desirable for pollution control, and the full faith and credit of the state are pledged for any such guarantee. The outstanding amount of principal and interest on such bonds and notes, the payment of which has been guaranteed by the state under the provisions of this section, shall at no time exceed the amount of twenty-five million dollars. The state's guarantee shall be endorsed on such bonds or notes by the state treasurer; and all notes or bonds issued with state guarantee shall be sold (1) at public sealed bidding, (2) after publication of advertisement for bids, (3) to the highest bidder. Any and all such bids may be rejected and a sale may be negotiated with the highest bidder. In the event of default in payment of any such notes or bonds, the state may recover any losses suffered by it by action against the town as provided in RSA 530.

\* \* \*

The amendment was adopted and the bill was ordered to Appropriations under the Rules.

HB 103, relative to service fees from initial plates, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

HB 131, relating to the prevention of fires by railroad locomotives, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

Mr. Angus of Claremont offered the following amendment.

#### **Amendment to HB 131**

Amend section 2 of the bill by striking out the words "sixty days after" and insert in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The Clerk read the amendment in full.

Mr. Angus of Claremont spoke in favor of the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 275, relative to taxation exemption for disabled veterans. Mr. Watkinson of Fitzwilliam for Military and Veterans Affairs. Ought to pass.

The bill was ordered to a third reading.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill and House Joint Resolution:

HB 198, An act relating to credit unions.

HJR 5, Joint resolution providing funds for payment of the expenses of binding and distributing the journal of the 1959 session of the constitutional convention.

Mr. Eastman of Weare

### **Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 38, to prohibit the use of power boats in the White Mountain National Forest.

### **Introduction of a Senate Bill**

SB 38, to prohibit the use of power boats in the White Mountain National Forest, was read a first and second time and referred to Resources, Recreation and Development.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

HB 198, relating to credit unions.

HJR 5, providing funds for payment of the expenses of binding and distributing the Journal of the 1959 session of the Constitutional Convention.

**Communications**

Nelson, N. H.  
March 23, 1963

**Resolution**

*Whereas*, we as resident tax payers of the town of Nelson have no representative in the 1963 session of the House of Representatives, and

*Whereas*, owing to constantly rising real estate taxes caused by sharp increases in the expenses incurred in providing adequate education for our children, and for the year-round maintenance of our town roads, on which depends the economic welfare of our town,

*Therefore be it Resolved* that we do hereby petition the General Court to give serious consideration to the enactment of some form of legislation, during the current session, which might afford some relief to said burdensome real estate taxes now afflicting residents of many of the smaller New Hampshire communities, and be it further

*Resolved*, that a copy of these resolutions be sent to the President of the Senate and to the Speaker of the House of the New Hampshire General Court.

Maxine E. Dobson  
Town Clerk of Nelson

Resolutions unanimously adopted at a continuation of the Annual Town Meeting in Nelson, N. H.

\* \* \*

Mr. Peterson of Peterborough and Mr. Pappagianis of Nashua offered the following concurrent resolution.

**State of New Hampshire****House of Representatives**

In the Year of Our Lord One Thousand Nine Hundred and Sixty-Three

## Concurrent Resolution

Ratifying a proposed amendment to the Constitution  
of the United States of America.

*Whereas*, both houses of the Eighty-Seventh Congress of the United States of America, by a constitutional majority of two-thirds thereof have made the following proposition to amend the Constitution of the United States of America, in the following words, to wit:

## Joint Resolution

Proposing an amendment to the Constitution of the United States relating to the qualifications of electors.

*Resolved* by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

## “Article —

“Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

“Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.”

*Therefore, Be it Resolved* by the House of Representatives of the State of New Hampshire, the Senate concurring: That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby ratified by the legislature of the State of New Hampshire.

*Further Resolved*, that certified copies of this preamble and concurrent resolution be forwarded by His Excellency the Governor to the Secretary of State at Washington, to the presiding officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

The Concurrent Resolution was referred to the Judiciary committee.

\* \* \*

The Chair announced that yesterday was the birthday of Mrs. Griffin of Auburn.

\* \* \*

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Readings

SJR 7, relative to the Russian-Japanese Fund, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 365, relative to definitions under the teachers' retirement system.

HB 58, relative to minimum treatment standards for sewage and industrial wastes.

HB 103, relative to service fees from initial plates.

HB 131, relating to the prevention of fires by railroad locomotives.

HB 275, relative to taxation exemption for disabled veterans.

\* \* \*

On motion of Mrs. Marx of Langdon the House adjourned at 12:05 P.M.

WEDNESDAY, APRIL 3, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by Guest Chaplain, Reverend Roland D. Sawyer, retired Congregational minister from Kensington as follows:

Almighty God — Our Father

We thank Thee for the state of New Hampshire and all the good people who have lived here and are living here today.

May we join in their ranks, be guided and aided by Thee to do our part —

In the name of our Lord Jesus we make our request. Amen.

### Pledge of Allegiance to the Flag

Mr. Totman of Alstead led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

Reverend Sawyer addressed the Convention briefly on early days in New Hampshire.

\* \* \*

On motion of Senator Hunter of the 23rd district the Convention rose.

### House

#### Introduction of Guests

The Chair introduced the class in United States History and Problems of Democracy from Vilas High School of Alstead, courtesy of Mr. Totman of Alstead.

The Chair also introduced a group of 9th grade Civics Class students from Epping High School, courtesy of Mr. Cavaliere of Portsmouth.

The Chair also introduced the Freshman class of the Simonds Free High School, courtesy of Mr. Bigelow of Warner.

### Leaves of Absence

Mr. Lamprey of Tuftonboro was granted leave of absence for the day on account of important business.

Mr. Langford of Raymond was granted leave of absence for today and Thursday on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 487, relative to purchases of liquor by state liquor commission (Maloomian of Somersworth) to Liquor Laws.

HB 488, providing that hours for selling alcoholic beverages be uniform throughout the states. (Stafford of Portsmouth) to Liquor Laws.

### Committee Reports

HB 248, requiring certain marking for so-called native farm products, Mr. Purington of Exeter for Agriculture. Ought to pass.

The bill was ordered to a third reading.

HB 354, relating to the licensing of plumbers, Mr. York of Concord for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 356, relative to state employees retirement system, Mr. Claveau of Hudson for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 358, relative to the time for filing of permanent journal, Mr. Morse of Enfield for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

SB 21, relative to liens for cleaning, pressing, laundering, etc., Mr. Cote of Manchester for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 443, legalizing proceedings at the town meeting on March 12, 1963 in the town of Bow, Mr. Crouch of Durham for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

SB 35, to require the licensing of foster day care homes, Mrs. Hayner of Laconia for Public Welfare and State Institutions. Ought to pass.

The bill was ordered to a third reading.

HB 288, relative to operation of motor vehicles when blind persons are crossing a way, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

#### **Amendment to HB 288**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Conduct Toward the Blind. Amend RSA 263:58 (supp) as amended by 1959, 240:1 by striking out the word "guide" in the second line; further amend by inserting after the word "dog" in the second and tenth lines the words, trained for the purpose; so that said section as amended shall read as follows:

263:58 Care Required. Whenever a totally or partially blind pedestrian, guided by a dog trained for the purpose or carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, crosses or attempts to cross a way, the driver of every vehicle approaching the place where such pedestrian is crossing or attempting to cross shall bring his vehicle to a full stop, and before proceeding shall take such precautions as may be necessary to avoid injuring such pedestrian. Nothing contained in this section shall be construed to deprive any totally or partially blind person, not carrying such a cane or walking stick or not being guided by a dog trained for the purpose, of the rights and privileges conferred by law upon pedestrians crossing ways.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.



HB 351, relative to vehicles of non-residents not regularly used on highways, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

### **Amendment to HB 351**

Amend section 2 of the bill by striking out the words and figures "as of April 1, 1963" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows: 2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 153, relative to motor vehicle fees, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

### **Amendment to HB 153**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Motor Vehicle Fees. Amend RSA 262:1 (supp) by inserting after paragraph XVI the following new paragraph: XVII. For every trailer or semi-trailer upon which is permanently mounted a power substation or transformer and associated equipment used for standby or emergency purposes in the service of the public, five dollars.

\* \* \*

Mr. Claflin of Wolfeboro spoke against the amendment.

The amendment was not adopted.

Mr. Newell of Concord offered the following amendment:

### **Amendment to HB 153**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Motor Vehicle Fees. Amend RSA 262:1 (supp) by inserting after paragraph XVI as inserted by 1957, 233:1 the following new paragraph: XVII. For every trailer or semi-trailer upon which is permanently mounted a power substation or transformer and associated equipment used for standby or emergency purposes in the service of the public, five dollars.

\* \* \*

The Clerk read the amendment in full.

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mr. McGee of Lincoln advised the Chair that he was withdrawing his notice of Reconsideration on HB 58, relative to the repeal of the school per capita tax.

### **Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 36, entering into the Interstate Library Compact enacting the same into law and for related purposes.

### **Introduction of a Senate Bill**

SB 36, entering into the Interstate Library Compact enacting the same into law and for related purposes, was read a first and second time and referred to Judiciary.

### **Senate Messages**

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HJR 14, in favor of the New Hampshire Veterans Association.

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of fifteen hundred dollars for the fiscal year ending June 30, 1964, and a like sum for the fiscal year ending June 30, 1965, are hereby appropriated for the New Hampshire Veterans Association for the purpose of repairs and maintenance of the buildings and grounds of said association at The Weirs. The governor is authorized to draw his warrant for the sums hereinabove appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

On motion of Mr. Gay of Derry the House concurred in the Senate amendment.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 127, relative to bonds for dormitories at the state teachers colleges and for the new office building.

HB 267, changing the name of the New Hampshire State Hospital.

HB 138, to allow printing of party designations on check lists.

HB 94, authorizing prepayment of taxes.

HB 187, relative to the use of facsimile signatures and seals on corporate bonds and other obligations.

\* \* \*

On motion of Mr. Urie of New Hampton the rules of the House were so far suspended as to dispense with the printing of HB 481, relative to classification of surface waters of Pemigewasset river watershed.

### Communication

Hon. Stewart Lamprey  
Speaker of the House of Representatives.

Dear Sir: —

At the annual town meeting of the Town of Pembroke the following resolution was passed by a majority of the voters present: —

*“Resolved* that the Selectmen do hereby petition the General Court of New Hampshire for relief from our oppressive property taxes necessitated by the rising cost of education by the leveling of a broad base tax, and that any and all revenue realized from such tax, excepting that portion necessary for administering the same, be returned to the several cities and towns of the State for the support of education.

"That copies of said petition be forwarded to his excellency the Governor, the Speaker of the House, the President of the Senate, our local Representatives, and our District Senator."

This is in compliance with the resolution passed.

Very respectfully,

Joseph H. Robinson  
Webster E. Bryant  
Honoré Bonenfant  
Selectmen of Pembroke, N. H.

\* \* \*

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 248, requiring certain markings for so-called native farm products.

HB 358, relative to the time for filing of permanent journal.

HB 443, legalizing proceedings at the town meeting on March 12, 1963 in the town of Bow.

HB 288, relative to operation of motor vehicles when blind persons are crossing a way.

HB 351, relative to vehicles of non-residents not regularly used on highways.

HB 153, relative to motor vehicle fees.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 21, relative to liens for cleaning, pressing, laundering, etc.

SB 35, to require the licensing of foster day care homes.

\* \* \*

On motion of Miss Bailey of Newport the House adjourned at 11:46 A.M.

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THURSDAY, APRIL 4, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O Father of Divine Patience, standing ready always to assist and guide us through the maze of uncertainty, grant unto us the benefits of Thy gracious loving-kindness. Teach us to so number our days to be effective instruments of Thy holy way. Deliver us from all afflictions of mind, thought, and deed that would limit our abilities of service. Breathe Thy spirit of peace and brotherhood into our daily lives, that we may find the common way towards unity in action and purpose. Look kindly upon our beloved Granite State, its leaders, its workers, its citizens, as we seek just and lasting solutions to the many challenges brought before this session — humbly we pray in the Name of the Father, the Son, and the Holy Spirit, Amen.

### **Pledge of Allegiance**

Mrs. Howard of Bartlett led the Convention in the Pledge of Allegiance to the Flag.

### **House Introduction of Guests**

The Chair introduced the senior class of Walpole High School, courtesy of the Walpole Delegation.

### **Leave of Absence**

Mr. Rufo was granted leave of absence for the day on account of important business.

### Qualified

Mrs. Doon of Henniker, having been duly sworn in by His Excellency, Governor King, appeared and took her seat in the House.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 489, legalizing certain procedures at the 1962 annual meeting in the town of Conway. (Rules Committee — Davis of Conway) to Municipal and County Government.

HB 490, relative to renumbering the Rockingham county commissioner districts. (Wheeler of Exeter) to Rockingham Delegation.

HB 491, limiting the taking of deer to certain sections of the state. (Kelley of Littleton) to Fish and Game.

HB 492, relative to term of office of town clerks. (Wheeler of Exeter and Palmer of Kensington) to Municipal & County Government.

HB 493, relative to compensation of the special justice for Portsmouth municipal court. (Cavalieri and Keefe and Mrs. Sadler of Portsmouth) to Portsmouth Delegation.

HB 494, relative to the compensation of state employees engaged in snow removal. (Angus of Claremont) to Appropriations.

HB 495, to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission. (Potter of Northumberland and Berringer of North Woodstock and Blanchard of Jackson) to Ways and Means.

HB 496, legalizing the proceedings at the annual town meeting in Farmington. (Rules Committee — Drew of Farmington) to Municipal and County Government.

HB 497, relative to restoration to service under the teachers' retirement system. (Gove of Concord) to Executive Departments and Administration.

Mrs. Davis of Conway moved that the rules of the House be so far suspended as to dispense with the printing of HB 489.

The Clerk read the bill in full.

HB 489, An Act legalizing certain procedures at the 1962 annual meeting in the town of Conway.

1 Proceedings Legalized. The votes and proceedings relative to the issuance of bonds or notes in an amount not to exceed one hundred and forty-five thousand dollars for Class IV urban highway construction at the annual meeting of the town of Conway held on March 13, 1962, are hereby legalized, ratified and confirmed, and the town is hereby authorized to issue the said bonds.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The motion was adopted.

Mr. Drew of Farmington moved that the rules of the House be so far suspended as to dispense with the printing of HB 496.

The Clerk read the bill in full.

HB 496, An Act legalizing the proceedings at the annual town meeting in Farmington.

1 Proceedings Legalized. The votes and proceedings at the annual town meeting of the town of Farmington, held on the twelfth day of March, 1963, are hereby legalized, ratified and confirmed.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The motion was adopted.

### **Committee Reports**

HB 224, legalizing the adoption of zoning regulations in the town of Pelham, Mr. Barker of Stratham for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 335, relating to the discharge or removal from office of county employees, Mr. Stafford of Portsmouth for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 335**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Appeal Provided. Amend RSA 28:10-a (supp) as inserted by 1959, 295:1, by striking out said section and inserting in place thereof the following: 28:10-a Discharge from Employment. Any employee of a county institution, except the superintendent of the county farm, who has served at least one year shall not be discharged or removed from employment except for dishonesty, intoxication, immoral behavior or other misconduct, neglect of duty or negligence, willful insubordination or lack of cooperation, inefficiency, incapacity or unfitness to perform his duties or for the good of the institution to which he is assigned. Prior to the discharge or removal of any such employee a statement of the grounds and reasons therefor shall be prepared by the county commissioners and signed by a majority of the board and notice thereof shall be given to said employee not less than ten days nor more than thirty days prior to the effective date of such discharge or removal. Within thirty days of receipt of such notice the employee may request in writing a public hearing thereon before the county personnel committee, consisting of the chairman, vice chairman and clerk of the county convention. If upon such hearing said committee shall find good cause for discharge or removal of said employee they shall order his discharge or removal. Said personnel committee may establish reasonable rules for procedure and the admission of evidence, and shall keep a record of all proceedings hereunder. Any action or decision made hereunder shall be subject to rehearing and appeal as provided in RSA 541. The county personnel committee when acting under the provisions of this section shall be deemed a commission within the meaning of RSA 541:1. The salary of said employee shall terminate on the effective date of his discharge, provided however, if the employee has been discharged without good cause, he shall be reinstated to his former position without loss of pay for the period of suspension and shall be reimbursed for his reasonable attorneys' fees. This section shall not apply to county employees laid off by reason of abolition of a position, change in organization, lack of work or insufficient funds, nor to employees of county jails not located at the county farm.

2 Election. Amend RSA 24:2 by striking out said section and inserting in place thereof the following: 24:2 Officers and Executive Committee. At its first regular meeting the county convention shall elect a chairman, vice-chairman and clerk, all of whom shall be representatives, and an executive committee.



The chairman, vice-chairman and clerk shall be members of the executive committee, ex-officio.

3 Takes Effect. This act shall take effect January 1, 1965.

\* \* \*

Mr. Kearns of Manchester offered the following amendment to the amendment and moved its adoption.

Amend the amendment to section 2 by striking out in the fourth line the word "elect" and inserting in place thereof the word, choose, so that said section as amended shall read as follows:

2 Election. Amend RSA 24:2 by striking out said section and inserting in place thereof the following: 24:2 Officers and Executive Committee. At its first regular meeting the county convention shall choose a chairman, vice-chairman and clerk, all of whom shall be representatives, and an executive committee. The chairman, vice-chairman and clerk shall be members of the executive committee, ex-officio.

The Clerk read the amendment in full.

At the request of Mr. Newell of Concord, Mr. Kearns of Manchester explained his amendment.

(discussion ensued)

Mr. Pickering of Hancock spoke against the amendment.

Messrs. Sheridan of Berlin and Geisel of Manchester spoke in favor of the amendment.

Mr. Hill of Conway, Miss Cole of Nashua and Mrs. Palmer of Plaistow spoke against the amendment.

Mr. Pickering of Hancock spoke a second time against the amendment.

Mrs. Cooper of Nashua spoke in favor of the amendment.

(discussion ensued)

Messrs. Hanson of Bow and Edwards of Antrim spoke against the amendment.

Mr. Hayward of Milford spoke against the amendment.

Mrs. Frizzell of Charlestown spoke against the amendment.

Mr. Gay of Derry spoke in favor of the amendment.

At the request of Mr. Sheridan of Berlin the Clerk read the amendment a second time.

Messrs. Geisel of Manchester, Osborne of Portsmouth and Clement of Rochester spoke in favor of the amendment.

(discussion ensued)

On a *viva voce* vote the nays appeared to have it.

Mr. Sheridan of Berlin requested the Yeas and Nays.

163 members having voted in the affirmative and 159 in the negative the amendment was adopted.

Mr. Hanson of Bow demanded a roll call.

### Roll Call

#### YEAS — 186

MERRIMACK COUNTY: Guilbeault, Phelps, Fairbanks, York, Upton, Sanders, Gilman, Dempsey.

HILLSBOROUGH COUNTY: Bragdon, Wiggin, Hambleton, Martin of Goffstown, Gallagher, Provencal, Lang, Pettigrew, Soucy, Conover, Geisel, Goode, Mahony of Manchester, ward 2, Bruton, Hayes, Cullity, Mahoney of Manchester, ward 4, Clancy of Manchester, ward 5, Manning, Walsh, Doherty, Healy, O'Conner, Lafrance, Bernier, Champagne, Cote, Delisle, Moran, Wade, Bergeron, Kearns, Hurley, Kendrigan, Noel, Nalette, Grady, Tremblay of Manchester, Cooper, Dionne of Nashua, ward 2, Thibault, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonette, Bouley, Latour, Lavallee, Sablusi, Desmarais of Nashua, Garland, Peabody.

CHESHIRE COUNTY: Gowing, Shea of Keene, ward 1, Pollock, Belletete, Pickett, Russell, Bouvier, Abare.

SULLIVAN COUNTY: Nahil, Bailey, Downing, Spanos.

GRAFTON COUNTY: Willey, Morse, Nettleton, Larty, McMeekin, Adams, Beard, Coutermarsh, Demers, Whipple, Brummer, Bell, Smith of Plymouth, Bean, Berringer.

COOS COUNTY: Fortier, Roy, Sheridan, Dumont of Berlin, Vashaw, Fontaine, Gagnon, Sherman, Shute, Fogg, Bushey, Potter, Arsenault, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Vey, Persson, Underwood, Cummings, Watts, Gay, Kimball of Derry, Scott, Nickerson, Collishaw, Eastman of Exeter, Purington, Wheeler, Wylie, Weeks, Spollett, Casassa, Ring, Palmer of Kensington, Clark of Kingston, Shepard, McDonough, Sewall, Cheney, Carter, Palmer of Plaistow, McEachern, Sadler, Osborn, Chandler, Cavalieri, Coussoule, Legasse, Greene of Rye, Young, Canty, Morrison, Peever.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Nelson, Smith of Dover, Richardson, Maglaras, Bevan, Littlehale, Adams of Madbury, Dawson, Moulton, Rolfe, Hartigan, Marsan, Dumont of Rochester, Rubins, St. Pierre, Johnson of Rochester, Clement, Green of Rollinsford, Maloomian, Habel, Cormier, Vincent, Littlefield, Bennett of Strafford.

BELKNAP COUNTY: Bolduc, Matheson, Uhlenberg, McCarthy, Normandin, Prescott, Hayner, O'Shan.

CARROLL COUNTY: Howard, Davis of Conway, Taylor of Effingham, Blake, Lamprey of Tuftonboro.

#### NAYS — 180

MERRIMACK COUNTY: Hanson, Moore, Hutchinson, La-Flamme, Henry, Dame of Concord, Hancock, Bingham, Smith of Concord, Andersen of Concord, MacDonald, Ferguson of Concord, Maxham, Newell of Concord, Welch, McKay, Stevens, Kelley of Franklin, Lafond, Lambert, Reddy, Brown of Loudon, London, Thompson of Northfield, Robinson, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Edwards, VanLoan, Farwell, Whitney, Barnard, Bartlett, Davis of Greenfield, Taft, Pickering, Eaton, Brocklebank, Bednar, Legallee, Warren, Ainley, Feldman, Kimball of Manchester, Dion of Manchester, Clancy of Manchester, ward 6, LeClerc, Tessier, O'Gara, Boettcher, Belanger, Capistran, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Gamache, Buker, Hazeltine, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Todd, Karnis, Peterson, Rice, Eastman of Weare, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Turner, Stearns, Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, ward 2, Heald of Keene, Bennett of Keene, Faulkner, Oliver, Forbes, Bennett of Richmond, Allen of Rindge, Hacker, Ballam, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Gaffney, Angus, Campbell, Barrows, D'Amante, Guest, Weber, Marx, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Boutin, Plumer, Grey, Goodfellow, Bowles, Hayward of Hanover, Johnson of Hanover, Low, Hampson, Lewis, McGee, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Park, Cushman, Barney, Anderson of Warren.

COOS COUNTY: Connolly, Marsh, Nash, Graham, Keough, Thayer, Brooks.

ROCKINGHAM COUNTY: White of Atkinson, White of Derry, Hackett, Shindledecker, Merrill, Twardus, Keefe, Stafford of Portsmouth, Dame, White of Portsmouth, Frink, Morrill, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Grimes, Colbath, Tuttle, Crouch, Drew, Canney, Beaudoin, Chase, Varney, Hebert.

BELKNAP COUNTY: McAllister, Goodhue, Lacaillade, Harkins, Head, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Hughes, Hill, Roberts, Blanchard, Dufferfer, Brown of Sandwich, Remick, Fox, Chamberlain of Wolfeboro, Claflin.

\* \* \*

The roll having been called and 186 members having voted in the affirmative and 180 in the negative, the amendment to the amendment was adopted.

The question now being on the amendment as amended.

The amendment was adopted and the bill was ordered to a third reading.

HB 107, providing for the election of county commissioners for the county districts of Rockingham county, Mr. Morrill of Salem for the Majority of the Rockingham County Delegation. Inexpedient to legislate.

HB 107, providing for the election of county commissioners for the county districts of Rockingham county, Mr. Cavalieri for the Minority of the Rockingham County Delegation. Ought to pass.

Mr. Cavalieri of Portsmouth moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate and spoke in favor of the motion.

Mr. Osborne of Portsmouth spoke against the motion.

(discussion ensued)

### **Recess**

### **After Recess**

The question being on the motion of Mr. Cavalieri of Portsmouth that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, on HB 107.

Mr. Wheeler of Exeter spoke against the motion and moved that the bill be indefinitely postponed.

The Chair ruled that the member's motion was not in order as he addressed remarks to the House before making the motion.

Mrs. Griffin of Auburn moved that HB 107 be indefinitely postponed.

Mr. McEachern of Portsmouth spoke against the motion.

On a *viva voce* vote the bill was indefinitely postponed.

HB 307, relative to salary of the sheriff of Rockingham county, Mr. Ring of Hampton for the Rockingham County Delegation. Ought to pass with amendment.

### **Amendment to HB 307**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Rockingham County Sheriff. Amend the last paragraph of RSA 104:29 (supp) as amended by 1961, 175:1 by striking out said paragraph and inserting in place thereof the following: In Rockingham the annual salary of the sheriff shall be nine

thousand five hundred dollars. Said salary shall be payment in full for all his services to the county. The county shall provide him with suitable transportation and he shall not be allowed the established rates for mileage allowable to other sheriffs. He shall be allowed reasonable expenses incurred during the performance of his duties and such expenses shall be subject to the approval of a justice of the superior court. The salaries of the sheriffs of Grafton and Belknap counties shall be paid monthly.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Takes Effect. This act shall take effect January 1, 1964.

\* \* \*

At the request of Mr. Cavalieri of Portsmouth, Mr. Osborne of Portsmouth answered a question.

The amendment was adopted and the bill was ordered to a third reading.

HB 330, relative to the appointment of a deputy treasurer for the county of Rockingham, Mrs. Weeks of Greenland for the Rockingham County Delegation. Ought to pass with amendment.

#### **Amendment to HB 330**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Rockingham County. Amend RSA 29 by inserting at the end of said chapter the following new section: 29:15 Deputy Treasurer. On or before June first, annually, the superior court acting as a body shall appoint a deputy treasurer for the county of Rockingham. Said deputy treasurer shall serve only during the absence of the county treasurer. The compensation of the deputy treasurer shall be five dollars for each day he is engaged in his official duties hereunder and said compensation shall be paid by the county of Rockingham.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 353, relative to the salary of the Rockingham county commissioners, Mrs. Weeks of Greenland for the Rockingham Delegation. Ought to pass with amendment.

**Amendment to HB 353**

Amend section 1 of the bill by striking out the word "four" in the fifth and eleventh lines and inserting in place thereof the word, three, so that said section as amended shall read as follows:

1 Rockingham County. Amend RSA 28:28 (supp) as amended by 1955, 247:4; 269:1, 1957, 182:1; 246:1, 1961, 80:11; 157:1 and 210:1 by striking out the words "In Rockingham, twenty-five hundred" and inserting in place thereof the words, In Rockingham, three thousand, so that said section as amended shall read as follows: 28:28 Commissioners. The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, three thousand dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, four thousand dollars.

In Cheshire, two thousand dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Amend section 2 of the bill by striking out the words "sixty days after its passage," and inserting in place thereof the words and figures, January 1, 1964, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect January 1, 1964.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 359, relative to the salary of the Rockingham County attorney, Mrs. Weeks of Greenland for the Rockingham County Delegation. Ought to pass with amendment.

**Amendment to HB 359**

Amend section 1 of the bill by striking out the sixth, seventh and eleventh lines the words "thirty-six hundred" and inserting in place thereof the words, three thousand, so that said section as amended shall read as follows:

1 County Attorney: Amend RSA 7:35 (supp) as amended by 1955, 247:2, 1957, 34:1, 211:1, 263:1, 1959, 6:1, 1961, 107:1 and 1961, 208:1 by striking out the words "In Rockingham, twenty-two hundred dollars" and inserting in place thereof the words, In Rockingham, three thousand dollars, so that said section as amended shall read as follows: 7:35 Salaries. The annual salaries of the county attorneys in the several counties shall be as follows:

In Rockingham, three thousand dollars.  
In Strafford, twenty-five hundred dollars.  
In Belknap, three thousand dollars.  
In Carroll, two thousand dollars.  
In Merrimack, twenty-five hundred dollars.  
In Hillsborough, thirty-eight hundred dollars.  
In Cheshire, three thousand dollars.  
In Sullivan, two thousand dollars.  
In Grafton, three thousand dollars.  
In Coos, twenty-four hundred dollars.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 85, providing one open season for taking of deer, Mr. Vashaw of Berlin for the Majority of the Fish and Game. Ought to pass with amendment.

**Amendment to HB 85**

Amend section 1 of the bill by striking out the words "November tenth to December tenth" in the seventh line and inserting in place thereof the words, the second Saturday in November to the third Sunday in December, so that said section as amended shall read as follows:

1 Wild Deer. Amend RSA 208:2 (supp) as amended by 1955, 264:1 and 1961, 254:1 by striking out said section and inserting in place thereof the following:



208:1 Taking; Time. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset from the second Saturday in November to the third Sunday in December, inclusive, provided that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

\* \* \*

HB 85, providing one open season for taking deer, Mr. Merrill of Hampton Falls for a Minority of the committee. Inexpedient to legislate.

Mr. Merrill of Hampton Falls moved that further consideration of HB 85 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. London of New London spoke against the motion.

(discussion ensued)

Mr. Bushey of Northumberland and Mr. Cobleigh of Nashua spoke in favor of the motion.

(discussion ensued)

Mr. McMeekin of Haverhill spoke against the motion.

(discussion ensued)

Messrs. Smith of Plymouth and Plumer of Bristol spoke against the motion.

(Mr. Clement of Rochester in the Chair.

Mrs. Brown of Sandwich spoke against the motion.

(discussion ensued)

Messrs. Coutermarsh of Lebanon, Diffenderfer of Ossipee and Urie of New Hampton spoke against the motion.

(discussion ensued)

Messrs. Cann of Claremont, Baird of Lebanon, Thayer of Jefferson and Mrs. Martin of Littleton spoke against the motion.

(discussion ensued)

Mr. Willey of Campton spoke against the motion.

(Speaker in the Chair)

Mr. Merrifield of Sunapee moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question being on the motion to indefinitely postpone HB 85.

On a *viva voce* vote the Nays appeared to have it.

A division was requested.

107 members having voted in the affirmative and 239 in the negative the motion to indefinitely postpone was lost.

The question now being on the committee amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 396, relative to disposition of so-called breakage under *pari mutuel* pools, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

At the request of Mr. Stafford of Laconia, Mr. Kearns of Manchester explained the bill.

(discussion ensued)

Mr. Angus of Claremont spoke against the resolution of the committee.

(discussion ensued)

Mr. Stafford of Laconia moved that HB 396 be laid on the table.

### Parliamentary Inquiry

Mrs. Frizzell of Charlestown and Mr. Angus of Claremont rose on a point of parliamentary inquiry.

The question before the House is on the motion to lay HB 396 on the table.

### Parliamentary Inquiry

Mr. Pappagianis of Nashua rose on a point of parliamentary inquiry.

The motion to lay HB 396 on the table was lost.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 244, relative to fees for wholesaler and manufacturer of alcoholic beverages, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

At the request of Miss Cole of Nashua, Mr. Larty of Haverhill explained the resolution.

Mr. Angus of Claremont spoke in favor of the resolution.

The resolution was adopted.

HB 186, repealing the taxation of livestock and poultry, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

Mr. Taft of Greenville moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate and spoke in favor of the motion.

(discussion ensued)

Mr. Hancock of Concord moved that further consideration of HB 186 be indefinitely postponed and spoke in favor of the motion.

(Mr. Pickett of Keene in the Chair)

(discussion ensued)

Mr. McMeekin of Haverhill spoke in favor of the motion.

### **Point of Information**

Mr. Kimball of Manchester rose on a point of information.

Mrs. Palmer of Plaistow spoke against the motion.

Mr. Charland of Franklin spoke in favor of the motion.

(discussion ensued)

Mr. Kearns of Manchester moved the previous question and it was sufficiently seconded.

The motion was adopted.

The previous question being on the motion to indefinitely postpone.

On a *viva voce* vote the chair was in doubt and requested a division.

165 members having voted in the affirmative and 170 in the negative, the motion was lost.

Mr. Charland of Franklin demanded the Yeas and Nays.

### YEAS 143

MERRIMACK COUNTY: Guilbeault, Phelps, Fairbanks, York, Henry, Hancock, Smith of Concord, Maxham, Gilman, Charland, Dempsey, Lafond, Plourde, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Van Loan, Farwell, Hambleton, Davis of Greenfield, Brocklebank, Gallagher, Provencal, Warren, Ainley, Feldman, Lang, Pettigrew, Soucy, Geisel, Goode, Kimball of Manchester, Bruton, Hayes, Cullity, Walsh, Healy, Lafrance, Leclerc, Tessier, Bernier, Cote, Delisle, Hurley, Noel, Capistran, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Cooper, Underhill, Dionne of Nashua, Ward 2, Thibault, Pappagianis, Marcoux, Boisvert, Mason, Lavalle, Sabluski, Karnis, Heald of Wilton.

CHESHIRE COUNTY: Totman, Desmarais of Jaffrey, Keating, Belletete, Russell, Forbes, Allen of Rindge, Abare, Wildey.

SULLIVAN COUNTY: Cann, Gaffney, Campbell, Nahill, Barrows, D'Amante, Bailey, Downing, Spanos, Hood.

GRAFTON COUNTY: Chamberlin of Bath, Boutin, Bowles, Morse, Nettleton, Larty, McMeekin, Beard, Whipple, Kelley of Littleton.

COOS COUNTY: Keough, Thayer, Sherman, Shute.

ROCKINGHAM COUNTY: White of Atkinson, Kimball of Derry, White of Derry, Collishaw, Wheeler, Casassa, Ring, Shindledecker, Merrill, Palmer of Kensington, Carter, McEachern, Chandler, Legasse, Grant, Morrison, Felch.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Grimes, Colbath, Richardson, Maglaras, Drew, Canney, Hartigan, Mar-

san, Dumont of Rochester, Rubins, Clement, Habel, Cormier, Vincent.

BELKNAP COUNTY: McAllister, Normandin, Head, Varrell, Howe.

CARROLL COUNTY: Hughes, Roberts, Blanchard, Diffenderfer, Brown of Sandwich, Remick, Lamprey of Tuftonboro, Fox, Claflin.

## NAYS 221

MERRIMACK COUNTY: Hanson, Moore, Hutchinson, La-Flamme, Upton, Dame of Concord, Bingham, Anderson of Concord, MacDonald, Sanders, Ferguson of Concord, Gove, Newell of Concord, McKay, Stevens, Kelley of Franklin, Lambert, Reddy, Brown of Loudon, London, Thompson of Northfield, Robinson, Tarrant, Bigelow.

HILLSBOROUGH COUNTY: Edwards, Wiggin, Barnard, Bartlett, Martin of Goffstown, Taft, Pickering, Eaton, Claveau, Legallee, Conover, Mahony of Manchester, Ward 2, Dion of Manchester, Mahoney of Manchester, Ward 4, McDermott, Clancy of Manchester, Ward 5, Manning, Clancy of Manchester, Ward 6, Doherty, Dupont, O'Connor, Martel, Champagne, Moran, Wade, O'Gara, Boettcher, Belanger, Kearns, Gamache, Tremblay of Manchester, Buker, Hazeltine, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Sullivan, Maynard, Dionne of Nashua, Ward 6, Chartrain, Bissonnette, Bouley, Latour, Desmarais of Nashua, Todd, Garland, Peabody, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: O'Neil, Gowing, Watkinson, Turner, Stearns, Cournoyer, Pratt, Shea of Keene, Ward 1, Pollock, Shea of Keene, Ward 2, Heald of Keene, Bennett of Keene, Faulkner, Pickett, Oliver, Bennett of Richmond, Bouvier, Hackler, Ballam, Smith of Walpole, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Angus, Guest, Weber, Marx, Merrifield.

GRAFTON COUNTY: Pryor, Stevenson, Plumer, Willey, Grey, Hayward of Hanover, Johnson of Hanover, Low, Hampson, Adams, Coutermarsh, Demers, Lewis, McGee, Brummer, Allard of Littleton, Martin of Littleton, Park, Cushman, Bell, Smith of Plymouth, Barney, Anderson of Warren, Bean, Berlinger.

COOS COUNTY: Fortier, Roy, Sheridan, Connolly, Dumont of Berlin, Vashaw, Fortaine, Gagnon, Marsh, Nash, Graham, Fogg, Bushey, Potter, Arsenault, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Vey, Persson, Underwood, Cummings, Watts, Scott, Nickerson, Hackett, Eastman of Exeter, Purington, Wylie, Weeks, Spollett, Clark of Kingston, Shepard, McDonough, Sewall, Twardus, Cheney, Palmer of Plaistow, Keefe, Stafford of Portsmouth, Sadler, Dame, Osborn, White of Portsmouth, Cavalieri, Frink, Greene of Rye, Young, Canty, Morrill, Stickney, Barker, Herbert.

STRAFFORD COUNTY: Nelson, Fellows, Smith of Dover, Tuttle, Bevan, Crouch, Littlehale, Clark of Lee, Adams of Madbury, Dawson, Moulton, Rolfe, Beaudoin, St. Pierre, Chase, Johnson of Rochester, Varney, Hebert, Littlefield, Bennett of Strafford.

BELKNAP COUNTY: Bolduc, Matheson, Goodhue, Lacaille, Harkins, Hayner, O'Shan, Stafford of Laconia, Allan of Meredith, Urie, Joslyn.

CARROLL COUNTY: Howard, Davis of Conway, Hill, Taylor of Effingham, Blake, Chamberlain of Wolfeboro.

The roll having been called and 143 members having voted in the affirmative and 221 in the negative, the motion to indefinitely postpone HB 186 was lost.

The question now being on the motion to substitute the words, Ought to pass, for the words, inexpedient to legislate.

On a *viva voce* vote the motion prevailed.

Mr. Kearns of Manchester requested a division.

178 members having voted in the affirmative and 165 in the negative the motion to substitute prevailed and the bill was ordered to a third reading.

### Engrossed Bills Report

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and House and Senate Joint Resolutions:

HB 94, An act authorizing prepayment of taxes.

HB 138, An act to allow printing of party designations on check lists.

HB 187, An act relative to the use of facsimile signatures and seals on corporate bonds and other obligations.

HB 267, An act changing the name of the New Hampshire State Hospital.

HJR 14, Joint resolution in favor of the New Hampshire Veterans Association.

SJR 7, Joint resolution relative to the Russian-Japanese Fund.

Natalie M. Potter

### **Personal Privilege**

Mr. Keefe of Portsmouth rose on a point of personal privilege.

### **Funeral Delegation**

The Chair appointed the following members to represent the House at the funeral services of the late Lewis H. Carpenter of Henniker:

Mr. Gay of Derry  
Mrs. Doon of Henniker  
Mr. Maxham of Concord  
Mr. Dame of Concord  
Mr. Bigelow of Warner  
Mr. Oliver of Marlboro

\* \* \*

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

### **Afternoon Session**

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit 3rd reading of bills by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### **Third Readings**

HB 186, repealing the taxation of livestock and poultry, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Stafford of Laconia, having voted with the majority, moved that the House reconsider.

The motion was not adopted.

HB 335, relating to the discharge or removal from office of county employees, was read a third time.

Mr. Newell of Concord moved that the bill be recommit-  
ted to the Municipal and County Government and spoke  
in favor of the motion.

Messrs. Upton of Concord, Kearns of Manchester and Pap-  
pagianis of Nashua spoke against the motion.

The motion was not adopted and the bill was passed and  
sent to the Senate for concurrence.

Mr. Pickett of Keene, having voted with the majority,  
moved reconsideration and the motion did not prevail.

HB 85, providing one open season for taking deer, was  
read a third time, passed, and sent to the Senate for concur-  
rence.

Mr. Urie of New Hampton, having voted with the ma-  
jority, asked the House to reconsider HB 85.

The motion was lost.

The following bills were read a third time, passed, and  
sent to the Senate for concurrence:

HB 307, relative to salary of the sheriff of Rockingham  
County.

HB 330, relative to the appointment of a deputy treasurer  
for the county of Rockingham.

HB 353, relative to the salary of the Rockingham county  
commissioners.

HB 359, relative to the salary of the Rockingham county  
attorney.

\* \* \*

Mr. Kearns of Manchester, having voted with the majority,  
moved that the House reconsider its vote whereby it killed HB  
244 and spoke against the motion.

The motion was lost.



Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it killed HB 396 and spoke against the motion.

The motion was lost.

\* \* \*

On motion of Mrs. Hayward of Hanover the House adjourned at 5:00 P.M.

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TUESDAY, APRIL 9, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

With everlasting love hast Thou loved us, O Lord our God. And with great mercy hast Thou had compassion upon us, O our Father and King, for the sake of Thy great name. Because our fathers trusted in Thee, Thou didst teach them the laws of life, that they might do Thy will with a perfect heart. Enlighten our eyes through Thy law. Hasten the day when blessed peace shall descend upon the four corners of the earth, when oppression and persecution shall cease forever. Strike the yoke from all shoulders, and the chains from all limbs. Send liberty to all those who languish in bondage, and light to those who walk in darkness. Grant that the promised day may come, when justice shall flow like water and righteousness like a mighty stream; when men shall beat their swords into plowshares and their spears into pruning hooks. Blessed art Thou, O Lord our God, King of the universe, who sanctifiest Israel and the holy festivals. Amen.

(Passover Prayer — Union Hymnal, Songs and Prayer for Jewish Worship. . . . 1949)

### **Pledge of Allegiance to the Flag**

Mr. Todd of New Boston led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

The Chair called the attention of the Convention to the group of Keene Teachers' College students who walked from Keene to the State House.

\* \* \*

The Chair introduced Miss Shila E. Stanley of Hanover, New Hampshire Maple Princess of 1963. Miss Stanley addressed the Convention briefly.

\* \* \*

On motion of Senator Lamontagne of District 1, the Convention rose.

## **House**

### **Introduction of Guests**

The Chair introduced a group of High School students from New Boston, courtesy of Mr. Todd of New Boston.

### **Leaves of Absence**

Messrs. Rousseau of Manchester and Littlefield of Somersworth were granted an indefinite leave of absence on account of illness.

Mr. Desilets of Berlin was granted a leave of absence for the week on account of important business.

Mr. Hanson of Bow was granted a leave of absence for three weeks on account of important business.

Mr. McCarthy of Laconia was granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 498, relative to small loans. (Hancock of Concord) to Judiciary.

HB 499, relative to the taxation of railroads. (Coutermarsh of Lebanon) to Ways and Means.

HB 500, relative to real estate brokers. (Heald of Keene) to Executive Depts. & Adm.

HB 501, relative to certain state officials. (Vey of Brentwood) to Appropriations.

HB 502, relative to fire protection at Plymouth Teachers College. (Smith of Plymouth) to Appropriations.

HB 503, removing the limitation of recovery of damages in cases of wrongful death. (Claflin of Wolfeboro) to Judiciary.

HB 504, relative to inter-bank deposits. (Reddy of Hopkinton) to Banks.

HB 505, relative to membership of the school board of Tilton and Northfield Union School District. (Rules Committee — Thompson of Northfield) to Education.

HB 506, relative to the school board of the Lincoln-Woodstock cooperative school district. (Rules Committee — Berringer of Woodstock) to Education.

\* \* \*

The Chair asked unanimous consent of the House for a correction in the permanent Journal, noting the adoption of an amendment to HB 307 relative to salary of the sheriff of Rockingham county, which notice had been omitted.

Unanimous consent was granted.

### Committee Reports

HB 211, relative to the establishment of a cooperative school district in the Newfound area, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was ordered to a third reading.

Mr. Plumer of Bristol moved that the rules of the House be so far suspended as to permit HB 211 to be placed on third reading and final passage at the present time and spoke in favor of the motion.

The motion was adopted.

### Third Reading

HB 211, relative to the establishment of a cooperative school district in the Newfound area, was read a third time, passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Plumer of Bristol, having voted with the majority, asked the House to reconsider its vote whereby it passed HB 211.

The motion was lost.

### Reports (cont.)

HB 445, relative to the Lancaster-Whitefield cooperative school district, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was ordered to a third reading.

HB 306, establishing a statewide library development program, Mr. McMeekin of Haverhill for Executive Departments and Administration. Ought to pass with amendment.

### Amendment to HB 306

Amend section 201-B:10 of Chapter 201-B, as inserted by section 1 of the bill, by adding at the end thereof the words, To qualify for this assistance (up to five hundred dollars annually) the Affiliated Library will be expected to participate in the Development Program, to issue and honor borrowers' cards valid statewide, to maintain its book budget at or above the level existing when it joined the Plan, and to demonstrate its ability to provide adequate library service, so that said section as amended shall read as follows:

201-B:10 State Aid to Service Center Libraries. Any service center library shall be eligible to receive state aid in the form of grants, varying in amount with the population to be served. The town or city in which the service center library is located must agree to match the grant, dollar-for-dollar, for book expenditures. Grants to service center libraries shall be used for the purpose of strengthening book resources, or for services essential to the operation of the service center library. The state library commission shall be the judge of the services essential to the operation of the service center library. To qualify for this assistance (up to five hundred dollars annually) the Affiliated Library will be expected to participate in the Development Program, to issue and honor borrowers' cards valid statewide, to maintain its book budget at or above the level

existing when it joined the Plan, and to demonstrate its ability to provide adequate library service.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

Mr. McMeekin of Haverhill, having voted with the majority, asked that the House reconsider its vote whereby HB 306 was ordered to a third reading and spoke in favor of the motion.

The motion was adopted and HB 306 was referred to the Appropriations committee under the Rules.

HB 469, relative to rescinding provisions for adoption of town manager plans, Mr. Stafford of Portsmouth for Municipal and County Government. Ought to pass with amendment.

#### **Amendment to HB 469**

Amend section I of the bill by striking out the word "May" in the fifth and forty-eighth lines and inserting in place thereof the word, April, so that said section as amended shall read as follows:

I Town Manager Plan. Amend RSA 37:15 (supp) as amended by 1957, 152:1 by adding at the end thereof the words. provided, however that said revocation shall not be effective until the second Tuesday of April next succeeding the annual meeting at which such action is taken, so that said section as amended shall read as follows: 37:15 Ballot Vote on Adoption and Discontinuance. Whenever an article has been inserted in the warrant for the annual meeting of any town, village district or precinct, calling for consideration of the question of adopting the provisions of this chapter, the following question shall be submitted to the voters at such meeting: "Do you favor adoption of the town manager plan as provided in chapter 37 of the Revised Statutes Annotated?" In towns, village districts or precincts having an official ballot the clerk shall cause this question to be printed on the official ballot and the voting on this question shall be taken up at the opening of the polls and carried on simultaneously with the balloting for town officers. In towns, village districts or precincts which do not have an official ballot the clerk shall cause to be prepared in advance of such meeting a printed ballot containing the above question and in

either method the question shall be followed by the words "Yes" and "No" with boxes after each, in which the voter may mark his choice. Such balloting arrangement shall be used at all meetings voting on such question pursuant to sections 11 and 14 hereof. The polls shall remain open for at least three hours at any meeting balloting on such question. In voting on the question of revoking the provisions of this chapter in any town, village district or precinct pursuant to section 13 hereof, the balloting procedure prescribed by this section shall govern, except that the question appearing on the printed ballot shall be as follows: "Do you favor the continuation of the town manager plan as now in force in this town?" If a majority of the voters present and voting in a town, village district or precinct on this question signifies disapproval of this question the town manager plan will be deemed to be revoked therein provided, however that said revocation shall not be effective until the second Tuesday of April next succeeding the annual meeting at which such action is taken.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 223, increasing fish and game fees, Mr. Merrill of Hampton Falls for Fish and Game. Inexpedient to legislate.

Mr. London of New London explained the resolution of the committee.

Mrs. Frizzell of Charlestown moved that HB 223 be indefinitely postponed.

The motion was adopted.

HB 259, to increase the fees for special fish and game licenses, Mr. Welch of Concord for Fish and Game. Ought to pass.

At the request of Mr. Kearns of Manchester, Mr. London of New London explained the bill.

Mr. Kearns of Manchester moved that further consideration of HB 259 be indefinitely postponed and spoke in favor of the motion.

Mr. London of New London spoke against the motion.

The motion was not adopted.

The bill was ordered to a third reading.

HB 200, relative to the taking of lobsters, Mr. Cheney of Newton for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 342, relative to the laying out of class IV, V, and VI highways by cities and towns, Mr. McGee of Lincoln for Public Works. Inexpedient to legislate.

Mr. Gove of Concord moved that HB 342 be referred to the Judiciary committee and spoke in favor of the motion.

Messrs. Taft of Greenville and Upton of Concord spoke against the motion.

The motion was not adopted.

The resolution of the committee was adopted.

HB 438, relative to highway construction aid to towns, Mr. Allard of Littleton for Public Works. Inexpedient to legislate.

The resolution was adopted.

HB 454, relative to the preservation of wooden covered bridges, Mr. O'Keefe of Portsmouth for Public Works. Ought to pass.

At the request of Mr. Hackler of Swanzey, Mr. Taft of Greenville explained the bill.

(Mr. McMeekin of Haverhill in the Chair)

The bill was ordered to a third reading.

HB 214, relative to state participation in water pollution control costs, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### **Amendment to HB 214**

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Appropriation. There is hereby appropriated for the water pollution commission for the purpose of carrying out the provisions of RSA 149-B the sum of one million dollars. The sum hereby appropriated shall be administered by the water pollution commission and shall be a continuing appropriation

and shall not lapse. No grants hereunder shall become effective without prior approval and authorization by the governor and council. The sum hereby appropriated shall be a charge upon the funds appropriated by 1961, 263:5.

Further amend said bill by striking out sections 3, 4, 5, and 6 and inserting in place thereof the following:

3 State Parks System. Amend 1961, 263:5, by adding at the end thereof the words, from the appropriation made hereunder the sum of one million dollars shall be expended for the purpose of carrying out the provisions of RSA 149-B, so that said section as amended shall read as follows: 263:5 Appropriation. A sum not exceeding nine million dollars is hereby appropriated for the purposes and projects authorized by the foregoing sections, as approved by the governor and council, provided nevertheless, that no project shall be approved by the governor and council unless a public hearing has been held thereon. From the appropriation made hereunder the sum of one million dollars shall be expended for the purpose of carrying out the provisions of RSA 149-B.

Further amend said bill by renumbering sections 7 and 8 to read 4 and 5.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### Reconsideration

Mr. Peterson of Peterborough, having voted with the majority, asked the House to reconsider its vote whereby it ordered HB 214 to a third reading.

The motion was adopted, and HB 214 was referred to Appropriations under the Rules.

HB 442, relating to the sale of state land at Intervale Ski Area, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### Amendment to HB 442

Amend section 2 of said bill by striking out the words "and the price shall be determined by majority vote of said commission" so that said section as amended shall read as follows:



2 Negotiations and Fixing Price. The negotiations for said sale shall be conducted by the commissioner of resources and development, with the approval of the advisory commission.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 147, relative to motor boats, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to HB 147**

Amend the title of said bill by striking out said title and inserting in place thereof the following: An Act relative to the use of boats and outboard motors on small ponds.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1 Motor Boats. Amend RSA 270:12 by inserting at the end thereof the following sentences: The director may, in like manner and after notice and hearing, prohibit the use of motor boats and outboard motors on bodies of public water having an area of thirty-five acres or less; provided, that said prohibition shall not be construed as affecting the bodies of water covered by RSA 486. Hearings under this section shall be held in the vicinity of the body of water under consideration, so that said section as amended shall read as follows: 270:12 Operating Restrictions. The director of the division of safety services may, after hearing, upon complaint or of his own motion, whenever it shall appear that the public interest requires, make such rules and regulations governing the maximum horsepower of boat engines and outboard motors or prescribe maximum speed limits for the operation of such boats or outboard motors applicable to or upon all or any portion of the public waters of this state. The director may, in like manner and after notice and hearing, prohibit the use of motor boats and outboard motors on bodies of public water having an area of thirty-five acres or less; provided, that said prohibition shall not be construed as affecting the bodies of water covered by RSA 486. Hearings under this section shall be held in the vicinity of the body of water under consideration.

\* \* \*

At the request of Mr. Anderson of Warren, Mr. Casassa of Hampton explained the amendment.

(discussion ensued)

Mr. Anderson of Warren moved that HB 147 be indefinitely postponed.

Mr. Urie of New Hampton spoke against the motion.

(discussion ensued)

Mr. Herbert of Windham spoke against the motion.

Mrs. Hampson of Hebron spoke against the motion.

Mr. Willey of Campton spoke in favor of the motion.

Mr. Goodhue of Gilford spoke against the motion.

(discussion ensued)

The question being on the motion to indefinitely postpone HB 147.

The motion was not adopted.

The amendment was adopted.

Mr. Kearns of Manchester moved that HB 147 be referred to the Legislative Council.

The motion was not adopted.

HB 147 was ordered to a third reading.

HB 182, relative to a head tax to be used by towns and cities for educational purposes, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 334, imposing a tax on income derived from the sale of real estate, Mrs. Palmer for Ways and Means. Inexpedient to legislate.

Mr. Kimball of Manchester spoke against the resolution.

The resolution was adopted.

HB 308, relative to taxation of property moved into town after April first, Mrs. Palmer of Plaistow for Ways and Means. Ought to pass.

The bill was ordered to a third reading.

HB 309, to grant the tax units within the state authority to assess state-owned lands and collect taxes therefrom, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 411, providing additional exemption from income tax for persons over sixty-five years of age, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 409, to exempt from inheritance tax property passing to an adopted grandchild, Mrs. Palmer of Plaistow for Ways and Means. Ought to pass with amendment.

#### **Amendment to HB 409**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1 Taxation of Legacies and Successions. Amend RSA 86:6 by striking out said section and inserting in place thereof the following: 86:6 Taxable Property and Tax Rate. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother or lineal descendant, or for the care of cemetery lots, or to a city or town in this state for public municipal purposes, or to or for the use of educational, religious, cemetery, or other institutions, societies or associations of public charity in any state, other than this state, territory or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, shall be subject to a tax of eight and one-

half per cent of its value, for the use of the state. For the purpose of this section all adopted children in the decedent's line of succession shall be treated as natural children in determining "lineal decedents."

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

(Speaker in the Chair)

The Chair took SB 15, relative to requirements for licenses under small loans act, from the table. The question being on the resolution of the committee that SB 15 is inexpedient to legislate.

Mr. Urie of New Hampton moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Totman of Alstead moved that SB 15 be indefinitely postponed and spoke in favor of the motion.

Mr. Pratt of Keene spoke in favor of the motion.

(discussion ensued)

Messrs. Pryor of Ashland and Healy and Moran of Manchester spoke in favor of the motion.

Mr. Pickett of Keene spoke against the motion.

Mr. Johnson of Hanover spoke in favor of the motion.

(discussion ensued)

Mrs. Frizzell of Charlestown and Mr. Hancock of Concord spoke in favor of the motion.

Mr. Peever of Salem moved the Previous Question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to indefinitely postpone SB 15.

Mr. Pickett of Keene requested a division.

The division vote being manifestly in the affirmative the motion to indefinitely postpone prevailed.

### Senate Messages

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 40, to provide for payment of compensation of deceased legislators.

### Introduction of a Senate Bill

SB 40, to provide for payment of compensation of deceased legislators, was read a first and second time and referred to Executive Departments and Administration.

### Senate Messages (cont.)

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 183, relative to the definition of a hairdressing shop.

### Amendment to HB 183

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Beauty Parlors. Amend paragraph VIII of RSA 314:1 by inserting at the end thereof the words, or where equipment and facilities for both hairwashing and hairdrying are available to the public for hire, so that said paragraph as amended shall read as follows: VIII. "Shop," a beauty shop or other place kept open for the business of hairdressing or manicuring or where equipment and facilities for both hairwashing and hairdrying are available to the public for hire.

\* \* \*

On motion of Mr. Green of Rollinsford the House refused to concur with the Senate amendment and requested the Chair to appoint a committee of conference.

The Chair appointed Mr. Green of Rollinsford, Mr. Maxham of Concord and Mrs. Rubins of Rochester as conferees on the part of the House.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the pas-

sage of the following entitled bill sent up from the House of Representatives:

HB 255, relative to the primary election in the city of Manchester.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 20, relative to voting machines in the city of Manchester.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 209, relative to extra pay for the police force in the city of Manchester.

#### **Amendment to HB 209**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following: 1 Manchester Police Force. Each member of the regular police force of the city of Manchester, when serving at the polls on any election day, including primaries, shall receive over and above his regular salary, the sum of one dollar and eighty-seven and one-half cents per hour, the same hourly rate as regular officers. 2 Takes Effect. This act shall take effect when it shall have been adopted by an affirmative vote by the board of mayor and aldermen of the city of Manchester.

\* \* \*

On motion of Mr. Cote of Manchester the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 45, requiring surety bonds for municipal court clerks.

**Amendment to HB 45**

Amend Section 1 of said bill by adding after the word "courts" in the eighth line the following, as established by RSA 502:26-a, so that said section as amended shall read as follows:

1 Surety Bonds. Amend RSA 502:16 by striking out the same and inserting in place thereof the following: 502:16 Surety Bond for Clerks. Each clerk of a municipal court, or each justice of a municipal court acting as clerk, shall furnish a bond of a reputable surety company, for the proper performance of his duties, in the form and amount required by the administrative committee for municipal courts as established by RSA 502:26-a. The premium shall be paid out of funds received by the court.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 60, relating to the support of spouse.

**Amendment to HB 60**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Support. Amend RSA 458:31 by striking out said section and inserting in place thereof the following: 31 Orders for Support of Spouse. Whenever a husband fails, without justifiable cause to provide suitable support for his wife or deserts her, or if the wife for justifiable cause is actually living apart from her husband, or if the husband is deserted by the wife, or is actually living apart from his wife for justifiable cause, the superior court, upon his or her petition, or if insane by his or her guardian or next friend, may restrain the husband or wife from interfering with the personal liberty of the other and from entering the tenement wherein the other resides, may grant temporarily and permanently the custody, care and education of their minor children, if any, and may make reasonable allowance for support of the wife and

children, all subject to such limitations and conditions as the court may deem just. The domicile requirements of RSA 458:4, 5 and 6 shall not apply to this section; and the court may grant relief hereunder to a nonresident plaintiff if the defendant is a resident of this state.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 48, relative to public libraries.

#### Amendment to HB 48

Amend the bill by inserting after paragraph III of section 202-A:11 as inserted by section 1 of the bill the following:

IV. Expend income from all trust funds for library purposes for the support and maintenance of the public library in said town or city in accordance with the conditions of each donation or bequest accepted by the town or city;

Further amend the bill by striking out paragraph VI of section 202-A:11 as inserted by section 1 of the bill.

\* \* \*

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill and concurrent resolution sent up from the House of Representatives:

HB 33, relating to date of the primary election.

Concurrent Resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to Article V thereof.



**Report of Engrossed Bills Committee under Joint Rule No. 6**

SB 21, relative to liens for cleaning, pressing, laundering, etc., Mrs. Potter of Northumberland for Engrossed bills committee. Ought to pass with amendment.

Amend said bill by striking out the first three lines of section 1 and inserting in place thereof the following:

1 Storage Lien. Amend RSA 449:1 by inserting in line 3 thereof after the word "shall" the following words, place in storage, or, and by inserting after the word "work" in the sixth line the words, or storage, so that said section as

\* \* \*

On motion of Mr. McMeekin of Haverhill the House concurred in the amendment.

**Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 255, An act relative to the primary election in the city of Manchester.

SB 35, An act to require the licensing of foster day care homes.

Mrs. Potter of Northumberland

\* \* \*

Mr. Casassa of Hampton offered the following concurrent resolution:

*Whereas*, the use of synthetic detergents for household and industrial purposes is increasing at an alarmingly rapid rate, and

*Whereas*, these synthetic detergents have already resulted in the development of serious problems with regard to beneficial uses of some of the surface and ground water resources of the State of New Hampshire, and

*Whereas*, nationwide, there is a compelling and urgent necessity for effective controls in order to alleviate existing

difficulties, and of even greater and significant importance, to prevent further and more widespread damage to water quality throughout the nation which otherwise will inevitably result from the mounting use of detergent compounds.

*Now, Therefore, be it Resolved* by the Senate and House of Representatives in General Court convened, that the Secretary of the Department of Health, Education and Welfare be requested to undertake promptly any and all actions which are required to establish adequate remedial controls for the detergent problem, the same to include sponsorship of appropriate Federal legislation whereby nationwide, the use and sale of detergents would be regulated should it appear that this means of approach affords the most effective and expeditious method for obtaining reasonable relief for the immediate future.

The concurrent resolution was referred to Resources, Recreation and Development.

Mr. Guest of Cornish offered the following concurrent resolution:

memorializing Congress in the passage of S. 887 and H.R. 4018,  
establishing the Saint Gaudens Memorial as a  
National Historical site.

*Whereas*, Senate Bill 887 has been introduced into the United States Senate by co-sponsors, Senator Norris Cotton and Senator Thomas J. McIntyre, of New Hampshire, and

*Whereas*, H.R. 4018 has been introduced into the United States House of Representatives by Congressman James C. Cleveland of New Hampshire, and

*Whereas*, both bills would relieve the trustees of the Saint Gaudens Memorial from the high cost of maintenance which might mean its discontinuance, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring:

That we, the members of the 1963 General Court of New Hampshire, do hereby memorialize Congress in the passage of the above stated bills, in order that the said Saint Gaudens Memorial may be preserved for posterity, and be it further

*Resolved*, that a copy of these Resolutions be forwarded to the Clerk of the United States Senate and the Clerk of the United States House of Representatives.

The concurrent resolution was referred to Resources, Recreation and Development.

Mrs. Ainley of Manchester and Mr. Upton of Concord offered the following concurrent resolution:

*Whereas*, the Northeastern Water and Related Land Resources Compact provides a means for coordinated planning of resource development in New England with consequent benefit to the people of the region; and

*Whereas*, the Compact has been enacted by Connecticut, Massachusetts, New Hampshire and Rhode Island and requires only enactment by Congress to become effective;

*Now Therefore be it Resolved* by the House of Representatives of the State of New Hampshire, the Senate concurring:

That the Congress of the United States is respectfully requested to enact at this session either HB 4207 or some other substantially similar bill to put the Northeastern Water and Related Land Resources Compact into effect.

*Be it Further Resolved* that certified copies of this concurrent resolution be forwarded by His Excellency the Governor to the Presiding Officer of the United States Senate, to the Speaker of the House of Representatives of the United States and to the United States senators and members of the House of Representatives from the state of New Hampshire.

The concurrent resolution was referred to Resources, Recreation and Development.

\* \* \*

The Chair announced that today is the birthday of Mr. Bartlett of Goffstown.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit the business in order at 3:00 this afternoon to be in order at the present time, that third

reading of bills be by title only, and that when the House adjourns today it be in honor of Speaker Lamprey's birthday and to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 409, to exempt from inheritance tax property passing to an adopted grandchild.

HB 147, relative to the use of boats and outboard motors on small ponds.

#### **Reconsideration**

Mr. Herbert of Windham, having voted with the majority, requested that the House reconsider its vote whereby it passed HB 147 and spoke against the motion.

The motion was not adopted.

#### **Third Readings (cont.)**

HB 308, relative to taxation of property moved into town after April first.

HB 442, relating to the sale of state land at Intervale Ski Area.

HB 454, relative to the preservation of wooden covered bridges.

HB 259, to increase the fees for special fish and game licenses.

HB 469, relative to rescinding provisions for adoption of town manager plans.

HB 445, relative to the Lancaster-Whitefield cooperative school district.

\* \* \*

On motion of Mrs. Fontaine of Berlin the House adjourned at 1:45 P.M.

WEDNESDAY, APRIL 10, 1963

The House met at 11:00 A.M

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Almighty God, Thou who art all compassion and mercy, lift from us the sad memories of this week of trial and tribulation in the life of our Saviour, Jesus Christ. May the virtues of His life — patient love, devotion to duty, faithfulness to truth, service to all mankind — attained through personal sacrifice, even though it meant the humiliation and the cruelty of the Cross — be a constant reminder and a continual inspiration to us all as we seek the eternal values of life. Enable us to view all of life with an ever increasing awareness of our moral and spiritual responsibilities. Continually bless the efforts of our Governor, his Council, and the Members of this Joint Convention in their various endeavors for the advancement of our "Granite State". Protect and preserve our heritage of freedom through our faith and trust in the future — through the power of Thy Name. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Brocklebank of Hollis led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group of students from New London High School, courtesy of Mr. London of New London.

The Chair also introduced a group of women from the Federated Women's Club of Hollis, courtesy of Mr. Brocklebank of Hollis.

### **Leaves of Absence**

Mr. Cobleigh of Nashua was granted leave of absence for today and tomorrow on account of important business.

Mrs. Blanchette of Dover was granted leave of absence for the day on account of illness.

Mr. Hackett of Epping was granted an indefinite leave of absence on account of important business.

Mrs. Brown of Sandwich was granted leave of absence for today and tomorrow on account of illness.

Mr. Phelps of Andover was granted leave of absence for the day on account of important business.

Mrs. Hampson of Hebron was granted a leave of absence for the week on account of a death in the family.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 507, relative to printing ballots. (Bednar of Hudson) to Exec. Depts. & Adm.

HB 508, relative to house trailers. (Peever of Salem) to Ways and Means.

HB 509, relative to publication of town reports. (Bednar of Hudson) to Municipal & County Government.

HB 510, relative to study for improved pesticides controls. (Tuttle of Dover and Miss Faulkner of Keene) to Public Health.

HB 511, increasing fees for fish and game licenses. (St. Pierre of Rochester and Mr. Merrifield of Sunapee) to Fish and Game.

HB 512, abolishing the state recreational fund and relative to state financing. (Pappagianis of Nashua) to Appropriations.

HB 513, relating to grants to cooperative school districts. (O'Neil of Chesterfield) to Education.

HB 514, relative to fees in the superior court. (Pappagianis of Nashua) to Judiciary.

HB 515, relative to distribution of normal yield taxes. (Keough of Gorham) to Ways and Means.

HB 516, relative to penalties for violation of meter parking at Hampton Beach. (Ring of Hampton) to Municipal and County Government.

HB 517, relating to the city charter of Portsmouth. (Keefe of Portsmouth) to Portsmouth Delegation.

HB 518, relative to the Hillsborough county convention. (Dupont of Manchester, Taft of Greenville and Claveau of Hudson) to Hillsborough County Delegation.

### **Recess**

At the invitation of the Chair Governor King and the Honorable Senate appeared in the hall.

The Polyphonic Choir of Plymouth Teachers' College, under the direction of Professor Walter Smith, entertained the Governor and the members of the General Court with a choral performance.

### **After Recess**

### **Committee Reports**

HB 403, relative to motor vehicle financial responsibility act, Mr. Wheeler of Exeter for Insurance. Ought to pass with amendment.

### **Amendment to HB 403**

Amend section 2 of the bill by striking out in the fifth and tenth lines the word "three" and inserting in place thereof the word, five, so that said section as amended shall read as follows: 2 Suspensions. Amend paragraph I of RSA 268:9 (supp) as inserted by 1955, 76:4 by striking out the word "seven" in the third line and inserting in place thereof the word, five, so that said paragraph as amended shall read as follows: I. Waiving Requirements. The director may waive the requirements of filing proof of financial responsibility and certificates at any time after five years duration from the date of accident involvement or conviction requiring such proof, provided the director has not received further record of conviction, accident involvement, forfeiture of bail, unsatisfied judgment or other evidence which would require the continuance of such furnishing of proof of financial responsibility and certificates.

Further amend the bill by striking out section 5 and renumbering section 6 to read section 5.

\* \* \*

At the request of Mr. Newell of Concord, Mr. Wheeler of Exeter answered questions regarding the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 394, relative to validation of deeds lacking witnesses, Mr. Spanos of Newport for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 397, restricting the sale of liquor or beverages on election days while the polls are open, Mr. Nahil of Claremont for Liquor Laws. Inexpedient to legislate.

Mr. Bednar of Hudson moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Nahil of Claremont spoke against the motion.

(discussion ensued)

Mr. Kimball of Manchester spoke in favor of the motion.

On a *viva voce* vote the Chair was in doubt and requested a division.

155 members having voted in the affirmative and 143 in the negative, the motion to substitute prevailed.

The question now being, shall the bill be read a third time.

Mr. Sheridan of Berlin demanded the Yeas and Nays.

### Roll Call

Yeas — 164

COOS COUNTY: Dubey, Connolly, Fontaine, Nash, Graham, Keough, Thayer, Sherman, Fogg, Bushey, Brooks.

ROCKINGHAM COUNTY: Griffin, Persson, Underwood, Cummings, Kimball of Derry, White of Derry, Shindledecker, Merrill, Palmer of Kensington, Clark of Kingston, Schwaner, McEachern, Stafford of Portsmouth, Sadler, Dame, White of Portsmouth, Coussoule, Greene of Rye, Young, Stickney, Herbert.

STRAFFORD COUNTY: Berry, Leighton, Grimes, Colbath, Maglaras, Bevan, Crouch, Littlehale, Clark of Lee, Adams of Madbury, Dumont of Rochester, Green of Rollinsford, Malloomian, Hebert.



BELKNAP COUNTY: McAllister, Bolduc, Matheson, Goodhue, Lacaillade, Stafford of Laconia, Allan of Meredith.

CARROLL COUNTY: Hill, Remick, Lamprey of Tuftonboro.

MERRIMACK COUNTY: Fairbanks, Hutchinson, York, Upton, Hancock, Smith of Concord, Andersen of Concord, Sanders, Newell of Concord, McKay, Stevens, Kelley of Franklin, Gilman, Charland, Lambert, Reddy, Brown of Loudon, London, Plourde, Robinson, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Farwell, Barnard, Bartlett, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Pickering, Eaton, Bednar, Claveau, Gallagher, Provencal, Warren, Conover, Kimball of Manchester, Clancy of Manchester, ward 5, Doherty, Leclerc, Martel, Buker, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cooper, Thibault, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Mason, Bouley, Karnis, Eastman of Weare, Heald of Wilton.

CHESHIRE COUNTY: O'Neil, Gowing, Watkinson, Turner, Stearns, Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Belletete, Bennett of Keene, Faulkner, Russell, Forbes, Bennett of Richmond, Hackler, Abare, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Gaffney, Campbell, Barrows, D'Amante, Guest, Marx, Spanos, Hood.

GRAFTON COUNTY: Chamberlin of Bath, Boutin, Plumer, Grey, Bowles, Morse, McMeekin, Adams, Beard, Whipple, Brummer, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Cushman, Anderson of Warren, Berringer.

#### Nays — 171

COOS COUNTY: Fortier, Roy, Sheridan, Vashaw, Bouchard, Gagnon, Shute, Potter, Arsenault, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Vey, Watts, Scott, Nickerson, Collishaw, Purington, Wheeler, Spollett, Cassa, Ring, Sewall, Twardus, Cheney, Carter, Pinkham, Palmer of Plaistow, Keefe, Murch, Osborn, Chandler, Frink, Langford, Canty, Morrill, Felch, Barker.

STRAFFORD COUNTY: Nelson, Fellows, Smith of Dover, Drew, Canney, Moulton, Rolfe, Marsan, Rubins, St. Pierre,

Chase, Johnson of Rochester, Varney, Habel, Cormier, Bennett of Stratford.

**BELKNAP COUNTY:** Uhlenberg, McCarthy, Harkins, Normandin, Head, O'Shan, Urie, Joslyn, Howe.

**CARROLL COUNTY:** Howard, Hughes, Davis of Conway, Taylor of Effingham, Blanchard, Diffenderfer, Fox, Chamberlain of Wolfeboro, Claffin.

**MERRIMACK COUNTY:** Guilbeault, Moore, Asby, LaFlamme, Henry, Bingham, Peaslee, Gove, Welch, Dempsey, Doon, LaFond, Thompson of Northfield, Bigelow.

**HILLSBOROUGH COUNTY:** Whitney, Brocklebank, Legallee, Ainley, Feldman, Lang, Pettigrew, Soucy, Geisel, Goode, Mahony of Manchester, ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Manning, Walsh, Clancy of Manchester, ward 6, Dupont, Healy, O'Conner, Lafrance, Tessier, Champagne, Cote, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Nalette, Allard of Manchester, Lesmerises, Gauthier, Tremblay of Manchester, Underhill, Dionne of Nashua, ward 2, Belcourt, Trombly of Nashua, Sullivan, Boisvert, Latour, Lavallee, Sabluski, Desmarais of Nashua, Dumais, Todd, Peterson, Rice.

**CHESHIRE COUNTY:** Totman, Shea of Keene, ward 1, Pollock, Pickett, Oliver, Allen of Rindge, Ballam.

**SULLIVAN COUNTY:** Angus, Nahil, Weber, Bailey, Downing, Merrifield.

**GRAFTON COUNTY:** Pryor, Stevenson, Willey, Goodfellow, Nettleton, Johnson of Hanover, Low, Larty, Demers, Lewis, McGee, Park, Smith of Plymouth, Barney, Bean.

The roll having been called and 167 members having voted in the affirmative and 171 in the negative, the bill was not ordered to a third reading.

### **Recess**

### **After Recess**

### **Committee Reports (cont.)**

HB 336, fixing the compensation of moderators in the city of Manchester, Mr. Dion of Manchester for the Manchester Delegation. Ought to pass with amendment.

**Amendment to HB 336**

Amend section 1 of the bill by striking out in the fourth line the word "seventy-five" and inserting in place thereof the word, fifty, so that said section as amended shall read as follows:

1 Compensation. The moderator of each ward in the city of Manchester shall receive as compensation for his services on each election day, including primaries, the sum of fifty dollars.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 444, legalizing the election of officers at the annual town meeting on March 12, 1963 in the town of Milton, Mr. Littlehale of Durham for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HJR 19, providing funds for completion of forest conservation aid and special aid to heavily timbered towns payments, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

HJR 19 was referred to the committee on Appropriations under the Rules.

SB 19, relative to access roads to privately owned ski developments, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

**Amendment to SB 19**

Amend RSA 236-B:1 of Chapter 236-B as inserted by section 1 of the bill by inserting after the word "proposed" in the third line the words, or existing, so that said section as amended shall read as follows: 236-B:1 Authorization. Upon petition and showing of financial ability and responsibility by a developer of a proposed or existing privately operated ski development the legislature may authorize the commissioner of public works and highways, with the approval of the governor and council to lay out and construct an access road to such development.

\* \* \*

Mr. Newell of Concord moved that SB 19 be recommitted to the committee on Resources, Recreation and Development and spoke in favor of the motion.

Mr. Smith of Dover spoke in favor of the motion.

The motion was adopted.

HB 142, relative to the sale of recapped motor vehicle tires, Mr. Claffin for Transportation. Inexpedient to legislate.

The resolution was adopted.

HB 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester, Mr. Belanger of Manchester for the Manchester Delegation. Ought to pass with amendment.

### **Amendment to HB 286**

Amend section 1 of the bill by striking out in the seventh and tenth lines the word "twelve" and inserting in place thereof the word, eight, so that said section as amended shall read as follows:

1 Mayor of the City of Manchester. Amend section 1 of chapter 223 of the Laws of 1883, as amended by chapter 203 of the Laws of 1907, as amended by chapter 280 of the Laws of 1945 and section 1 of chapter 437 of the Laws of 1957 by striking out the words "six thousand" in the second line and inserting in place thereof the words eight thousand five hundred, so that said section as amended shall read as follows: Section 1. The salary of the mayor of the city of Manchester shall be eight thousand five hundred dollars per year payable in equal semi-monthly payments. Said salary shall be in full compensation for services performed and personal expenses incurred, either as executive or as member of any board or committee of said city.

Amend section 2 of the bill by striking out in the seventh and tenth lines the words "one thousand" and inserting in place thereof the words, seven hundred fifty, so that said section as amended shall read as follows:

2 Aldermen. Amend section 1, chapter 220, Laws of 1901, as amended by section 1, chapter 333, Laws of 1917, as amended by section 1, chapter 352, Laws of 1947 and section 2, chapter

437 of the Laws of 1957, by striking out the words "five hundred" in the second and third lines and inserting in place thereof the words, seven hundred fifty, so that said section as amended shall read as follows: Section 1. Each member of the board of aldermen of the city of Manchester shall be paid the sum of seven hundred fifty dollars per year for services, payable quarterly.

Amend section 3 of the bill by striking out in the fifth and fourteenth lines the word "five" and inserting in place thereof the word, three, so that said section as amended shall read as follows:

3 School Committee. Amend section 1, chapter 323, Laws of 1909, as amended by chapter 270, Laws of 1931 and section 3, chapter 437 of the Laws of 1957, by striking out the word "two" in the sixth line and inserting in place thereof the word, three, so that said section as amended shall read as follows: Section 1. At every election hereafter held in said city of Manchester there shall be elected from each ward one member of the board of school committee, who shall hold his office for the term of two years from the first Tuesday of January next following their election. The salary of each member of said school committee, with the exception of the mayor, shall be three hundred dollars a year.

Amend section 4 of the bill by striking out the figure "1963" and inserting in place thereof the figure, 1964, so that said section as amended shall read as follows:

4 Takes Effect. This act shall take effect as of January 1, 1964.

\* \* \*

Mr. Geisel of Manchester offered the following amendment to the amendment and moved its adoption.

#### **Amendment to the Amendment HB 285**

Amend section 4 of the bill by striking out the words and figures "as of January 1, 1964" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows:

4 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The Clerk read the amendment in full.

Mr. Geisel of Manchester spoke in favor of the amendment to the amendment.

Messrs. Conover and Kimball of Manchester spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

The question now being on the adoption of the committee amendment as amended.

Mrs. Ainley and Mrs. Martel of Manchester spoke against the amendment.

Messrs. Capistran and Allard of Manchester spoke in favor of the amendment.

(discussion ensued)

Mr. Belanger of Manchester moved that HB 286 be indefinitely postponed and spoke in favor of the motion.

Mr. Goode of Manchester spoke against the motion.

(discussion ensued)

Mr. Kimball of Manchester spoke against the motion.

(discussion ensued)

Messrs. Dupont and Feldman of Manchester spoke against the motion.

(discussion ensued)

Mr. Peterson of Peterborough spoke against the motion.

(discussion ensued)

Mr. Pickett of Keene spoke against the motion.

Mr. Belanger of Manchester withdrew his motion to indefinitely postpone HB 286.

The question now being on the adoption of the committee amendment as amended.

Mr. Mahoney of Manchester spoke against the amendment.

(discussion ensued)

The committee amendment was adopted.

Mrs. Ainley of Manchester requested a division but subsequently withdrew her request.

### (Parliamentary Inquiry)

Mr. Peterson of Peterborough rose on a point of parliamentary inquiry.

The Chair stated that the House has adopted the amendment to the amendment.

The most recent action was the adoption of the committee amendment.

The question now before the House is, shall the bill be ordered to a third reading.

### Reconsideration

Mr. Peterson of Peterborough, having voted with the majority, requested the House to reconsider its vote whereby it adopted the committee amendment to HB 286 and spoke in favor of the motion.

Messrs. Healy, Geisel and Kimball of Manchester spoke against the motion.

The motion to reconsider the amendment was lost.

Mr. Cote of Manchester explained the amendment.

The bill was ordered to a third reading.

### Reconsideration

Mr. Sheridan of Berlin, having voted with the majority, asked that the House reconsider its vote refusing to order HB 397, restricting the sale of liquor or beverages on election days while the polls are open, to a third reading and spoke against the motion.

Mr. Kimball of Manchester spoke in favor of the motion.

### Parliamentary Inquiry

Mr. Angus of Claremont rose on a point of parliamentary inquiry.

Mr. Bednar of Hudson spoke in favor of the motion to reconsider.

(discussion ensued)

Mr. Angus of Claremont spoke against the motion.

Mr. Keefe of Portsmouth spoke against the motion.

Mr. Vachon of Manchester moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to reconsider the vote refusing to order HB 397 to a third reading.

The motion to reconsider was lost.

Mr. Bednar of Hudson requested a division.

The division vote being manifestly in the negative the motion was lost.

### Personal Privilege

Mr. Pickett of Keene rose on a point of personal privilege.

\* \* \*

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

### Afternoon Session

The Chair announced that today is the 44th wedding anniversary of Mr. Underwood of Chester. Mrs. Underwood was a guest of her husband in the House.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit the third reading of bills by title only, and that when the House adjourns today it be in honor of our new Honorary American Citizen, Sir Winston Churchill of England, and to meet tomorrow morning at 11:00 A.M.

### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:



HB 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester.

HB 444, legalizing the election of officers at the annual town meeting on March 12, 1963 in the town of Milton.

HB 336, fixing the compensation of moderators in the city of Manchester.

HB 394, relative to validation of deeds lacking witnesses.

HB 403, relative to motor vehicle financial responsibility act.

\* \* \*

On motion of Mrs. Demers of Lebanon the House adjourned at 3:39 P.M. in honor of Sir Winston Churchill.

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THURSDAY, APRIL 11, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Rabbi Jacob Handler, of Temple Israel, Manchester, as follows:

#### **ALMIGHTY GOD AND MERCIFUL FATHER:**

We beseech Thy blessings upon the duly representatives of our Granite State. Cause Thy Divine presence and counsel to guide their deliberations in all matters pertaining to the welfare of Thy people.

Endow them with wisdom and understanding so that they may comprehend the eternal values of life. Strengthen their faith in Thee and gird them with courage to face the future with confidence and without fear.

We pray to Thee, at this time of the Year, The Holy Week, as we observe the two historical holidays, PASSOVER and EASTER, giving the adherents of both religions much inspiration: FREEDOM and THE RESURRECTION.

We are grateful for Thy bounties of liberty and equality, the inalienable inheritance of all Americans. May Thy protecting care be with all who reside within the portals of our country.

We are mindful, at this hour of the great tragedy of our nuclear submarine, in the deep waters of the sea. Be with them, we pray Thee, and grant solace and comfort to the bereaved, their families. Implant in the hearts of all a sincere desire to toil in unison for freedom and peace. Amen.

\* \* \*

Senator Martel of District 17, offered the following resolutions.

*Whereas*, Good Friday occurring April 12, 1963, and

*Whereas*, being publicly mindful and fully appreciative on this eventful anniversary, now, therefore, be it

*Resolved*, that we, the members of the Joint Convention, do and hereby move to observe at the present moment, a one-minute period of silent meditation to commemorate the sufferings and death on the Cross, of the Son of the Living God, Our Lord and Savior Jesus Christ, for the salvation of mankind.

\* \* \*

On a rising vote of one minute of silent prayer the resolution was unanimously adopted.

\* \* \*

### Pledge of Allegiance to the Flag

Mr. Feldman of Manchester led the Convention in the Pledge of Allegiance to the Flag.

### Governor's Message

His Excellency, Governor John W. King, appeared before the Convention and delivered the following message:

Mr. Speaker and Honorable Members of the House and Senate. This morning I come before the General Court to submit for your serious consideration and earnest deliberation our recommendations for legislation in the field of education.

I need not dwell at length on the importance of legislation in this area. The tidal wave of youngsters straining the seams

of our school plant, the ever increasing demand for greater intellectual skills in the space age, and our obligations to provide our children with the finest education within our means — all emphasize the gravity of the problem.

In 1961 your honorable body — of which I was proud to be a member — saw the need for action and by Joint Resolution provided for the appointment of an Interim Commission on Education to comprehensively study and assess the problems of the public school system and higher educational facilities of our State, and make findings and recommendations.

We now have the report of that Commission. I, for one, cannot commend too highly the dedication with which the Commission addressed itself to a most difficult task. It is obvious from a reading of the report that long and arduous hours went into its preparation. Members of the Commission can be justifiably proud that their selfless and inspired efforts are in the finest traditions of genuine public service to our state. Two years ago we knew that we had a problem but the exact nature and extent of it was blurred and undefined. Today, thanks to the efforts of the Commission, we have the problem defined and delineated. What we *do* about it now becomes the subject of discussion and debate, and properly so.

I do not believe that the members of the Commission expect an immediate adoption of all of their recommended solutions. But certainly they should justifiably hope that we make a start. We cannot do less.

To begin with it is my sincere conviction that we have a deep obligation to see to it that the affirmative proposals made by the Commission are made the subject of continuous concern in the years ahead. The problems outlined by the Commission will not be entirely solved by this session of the General Court and to my mind it becomes a matter of urgency that those problems that are unresolved become a matter of concern to the next General Court and every session of the General Court in the foreseeable future.

First of all, what we need is to provide a permanent agency of state government that will prevent this valuable effort of the Interim Commission from becoming another dust covered study in our archives.

Therefore, I am strongly recommending legislation for the creation of such a state agency . . . to be called The New Hampshire State Board of Regents. The agency would be directed to concern itself on a permanent and continuing basis with the overall problems of all facets of education in the State of New Hampshire.

My conception of the proposed board envisions a membership of 5 outstanding citizens whose education, background and experience qualify them to assume this challenge and opportunity for rendering a great public service to our state.

I recommend that their appointments be the responsibility of the Governor alone, and with reference to this let me be candid.

It is my sincere conviction that a board of regents entrusted with such grave responsibility should be as completely divorced from the political arena as possible. There should be no provisions with regard to party affiliations of the membership of the board and appointments to the board should be made without regard to state geography or the five councilor districts.

In short, the appointments to this board should be made on the basis of ability — and ability alone.

Such a board of regents could, for the first time in history, provide us with the means of attacking our educational problems from an all encompassing, continuous and unified point of view.

Up until now our efforts in this direction have been fragmented and departmentalized with no agency admittedly concerning itself with, as it were, "the big picture." In the first instance therefore, the proposed board of regents would act as a permanent planning board in the field of education.

The services of such a board could greatly aid a new Governor. Under our present system, when a new Governor is elected, he is presented even before his inauguration, with the budget recommendations of the several state departments and institutions that are concerned with education, namely, the Department of Education itself, the University, the Teachers Colleges, the Technical Schools and so on.

At this point a new Governor has a very urgent need to be able to turn to a knowledgeable authority — independent of

these institutions — for advice on the justification of their budget requests in relation to the overall educational needs of the State. In this area the proposed board of regents could provide a most valuable and needed service.

### **Accreditation**

The board of regents could fill a genuine need in other areas. In the next decade our educational institutions, both public and private, are bound to grow and expand. As the interim commission implies, there is a danger the growth could get out of hand. We should avoid the pitfalls of some of our more populous and less discriminating states who by laxness in applying proper accreditation standards have permitted a loose growth of what are sometimes called "diploma mills."

I agree with the interim commission that some state agency should be made responsible for accrediting or denying accreditation to all institutions of higher learning in this state whether they be public or private.

I would recommend that the board of regents be empowered to directly appoint an accreditation committee of 7 qualified citizens at least 4 of whom would be professional educators to make recommendations to the Legislature in this all important area of accreditation.

### **Capital Improvements**

Acting in the capacity of a permanent planning board, the board of regents could make valuable recommendations on an orderly and long range program of capital improvements to our state educational institutions. I have personally witnessed, both as a member of your Honorable Body and as Chief Executive, a lack of proper planning for capital improvements at our state teachers colleges. Now there is a desperate plea at those institutions that I immediately rectify the effects of this lack of planning which have accrued over two decades.

This concept of orderly and continuous planning for the future — not only in the area of capital improvements — but of our entire education program is — to my mind — one of the most vital needs that confront us.

One last point regarding the board of regents concept. It should be made clear that the board of regents under my

recommendations would act in only an advisory and correlating capacity — with respect to the operation of both our State Department of Education and our institutions of higher learning. In plain language, the board of regents would have no authority to tell our State Department of Education how schools should be run or what should be taught nor would it have any governing power over our institutions of higher learning. Under no circumstances would it be empowered to interfere in any way with the internal management of any of those institutions.

### **Expanded Board of Trustees for All Institutions of Higher Learning**

My second major recommendation to you this morning is concerned with seeking a better coordination and correlation among our state institutions of higher learning within themselves.

I am again recommending that a single board of trustees of all publicly supported institutions of higher learning in the state be established. This single board of trustees would be composed of the present 10 man board of trustees of the University of New Hampshire plus an additional 7 trustees to accommodate the inclusion of Keene and Plymouth Teachers Colleges and the Technical Institute when that facility becomes operational.

This single board of trustees would mean a marked improvement in the field of higher education in the state in two areas.

First a better coordination and correlation between all of our facilities for higher education would be achieved. This in turn would result in a better implementation of the long range planning of which we have spoken previously.

Secondly such a single board of trustees would result in a marked advance to raise our teachers colleges from their present status of orphans in our educational family. I would recommend that, working under the single board of trustees, Keene and Plymouth Teachers Colleges be granted fiscal autonomy such as is now enjoyed by the University — that they no longer be required to operate line item budgets and they be freed from the controls of the State's Personnel Classification System.

I am convinced that if such a recommendation is approved by the General Court this will mark the beginning of a new era for our teachers colleges. They will be freed from the political pressures and internal difficulties that line item budgets foster. As part of an integrated state system of higher education that will include the University of New Hampshire, they will enjoy a new status and prestige that will make it easier to attract and retain competent students, teachers and administrators.

I would make one further specific recommendation with reference to our teachers colleges that I believe commands attention . . . and that is in the area of faculty salaries at those institutions. There is no question in my mind but what the state is failing in its obligation to provide decent remuneration for the dedicated staffs of these two schools.

Therefore, I would sincerely urge that the Legislature allocate 250 thousand dollars to be applied to salary increases for the faculties at Keene and Plymouth Teachers Colleges. These funds would be made available to the proposed expanded board of trustees for salary increments as the board sees fit, similar to the practice now employed at the University of New Hampshire.

## **20 Million Dollar Bond Issue**

My third recommendation to you this morning concerns a vital need that has long been of prime concern to me. I speak of the urgent need for increased state financial aid to those communities whose children do not have the opportunity for a proper education because of the inability of those areas to undertake the construction of urgently needed school facilities.

It takes very little imagination to dream of what we would all like to have . . . modern new high schools and grade schools dotting every area, staffed with decently paid teachers . . . technical schools in every corner of our state turning out the needed technicians for our expanding industrial economy . . . new centers of research at our great University and new and better graduate schools.

It takes little imagination to conjure up this ideal that all share.

But you and I as elected representatives of our people with the power to spend and the power to tax have a prior responsibility to those who brought us to our high office.

We have the responsibility to make certain that our imaginative desires are curbed by the ability of our people to support those desires.

I would like to point out that those who have a tendency to indulge in anguish over our educational efforts enjoy reiterating time and again that New Hampshire is 50th among the states in state aid to education. Given much less prominence is the fact that in the actual amount spent on our children's education we rank 29th among the states or close to the national average. At the same time *in ability to pay we rank 23rd from the top.*

In short when you consider what the New Hampshire citizen can afford, he is doing almost as much as he can with respect to spending money on the education of his children.

Because of this fact I am convinced that the ultimate long range solution to most of our educational fiscal problems lies in the field of Federal aid to education.

I realize that some reject such a solution as further encroachments of the Federal Government in local affairs but the plain fact of the matter is that we are rapidly reaching a point where the income of the people of this state is simply not enough to support the type of education that the space age demands.

I would point out to you that several years ago we had arrived at a similar point in our highway system. The post-war automobile explosion had confronted us with a demand for a highway expansion program that our people could not possibly afford to undertake. Fortunately, the Federal Government recognized the problem for what it was and, incidentally, under a Republican administration passed the Highway Act of 1956. In this fiscal year New Hampshire is spending 45 million dollars to continue that all-important road program which is bringing new and tangible benefits every day of our lives to all of us, and the Federal Government is providing 16 million dollars of the 45 million we are spending.

In short, our state is continuing to grow and prosper because someone had the foresight 7 years ago to realize that our



highway program was a need that our state could not provide on its own.

Today we are faced with a similar situation in the field of education.

But we have no assurance that Congress will pass federal aid to education this year or next and so we are confronted with meeting this emergency as best we can based on the ability of our people to pay.

In light of these facts it is my recommendation that this Honorable House and Senate approve a 20 million dollar bond issue to provide immediate funds to aid those communities in the state who are in the greatest need of capital improvements in their school facilities.

In my original budget recommendations to the General Court I included the expenditure of 430 thousand dollars for debt service for this bond issue over the biennium.

This would have allowed the actual use of 6 million dollars from this bond issue for needy school districts over the next two years.

Recent revisions in our anticipated revenues by the comptroller have indicated that, without new taxes, we can provide for increased debt service expenditures that will allow the use of 10 million dollars of this bond issue over the next biennium.

It is my recommendation that this 10 million dollars be spent in the form of grants for capital improvements only, based on the need over the next two years as determined by the proposed board of regents.

Funds from this bond issue could be utilized to construct new technical school buildings in Manchester, Portsmouth and Berlin.

Funds from the bond issue could be used to provide a stimulus and incentive to those school districts or areas that are attempting to work together to provide more efficient and economical education to the public.

Funds from this bond issue can be used to assist the local school districts under the already established provisions of the school building construction aid formula as presently administered by the State Board of Education.

These are not specific recommendations but merely illustrate some of many directions in which the board of regents might move.

Some may charge that such a proposal would give the board of regents a blank check — that it should be curbed by carefully contrived standards and limited in its scope by rigid legislative control.

But I would point to the experience of our University where a board of trustees have been given discretion to meet needs as they arise. I think all will agree that the University stands as an excellent example of what can be done by trustees of outstanding calibre. I shall seek out men and women of similar integrity to man the board of regents.

Finally, in my inaugural address to this body, I pointed out that I was not unaware that for the first time in many years the Legislative and Executive Departments of the state were of different political faiths. I also pointed out that my own experience in the House led me to the conviction that the majority of our legislators in the face of crisis put principle above party and the public good above politics.

Let both the Legislative and Executive Departments resolve to hold to this in our actions toward our educational problems. For my part, you will not find my office dogmatic or intransigent toward any suggested solutions to our problems excepting those that impose a financial burden on our people that is beyond their capacity to bear.

What I offer to you is a blueprint for the future. A plan that will leave inviolate the reputation and independence of the University while strengthening the role and status of the teachers' colleges. The proposal is not excessively complicated and does not insist on meticulous observation of rigid and senseless formalities or ritual. Knowing the responsibility placed in you I hope you will consider the urgent need of uniting with me in the common purpose of boldly meeting the educational needs of the young men and women of our state. The school question is perhaps the most vital question of the future — and the most vital question you will have before you this session. No service that has already been rendered our state can surpass what you

can do by meeting this challenge. I hope that we may meet it together.

I thank you.

\* \* \*

On motion of Senator Paquette of the 13th District the Convention rose.

### **House Introduction of Guests**

The Chair introduced the senior class of Marlborough High School, courtesy of Mr. Oliver of Marlborough.

The Chair also introduced a group of 7th & 8th grade students from Temple, courtesy of the Hillsborough Delegation.

### **Leave of Absence**

Mrs. Blanchette of Dover was granted an indefinite leave of absence on account of illness.

### **Committee Reports**

HB 263, establishing the Haverhill Union School District, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

The resolution was adopted.

HB 281, relative to the remodeling of certain buildings and the construction of a new greenhouse at the University of New Hampshire, Mrs. Demers of Lebanon for Education. Ought to pass.

The Chair referred HB 281 to the committee on Appropriations under the rules.

HB 303, naming the technical institute for former congressman Chester E. Merrow and providing for a portrait of Mr. Merrow, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

The resolution was adopted.

### **Reconsideration**

Mr. Pickett of Keene moved that the House reconsider its vote whereby it killed HB 154, relative to operation of overweight vehicles, and spoke in favor of the motion.

Messrs. Claflin of Wolfeboro and McGee of Lincoln spoke against the motion.

Mr. Pryor of Ashland spoke in favor of the motion.

The motion to reconsider was lost.

\* \* \*

Mr. Urie of New Hampton withdrew his notice of reconsideration on SB 19, relative to access roads to privately owned ski developments.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 45, An act requiring surety bonds for municipal court clerks.

HB 60, An act relating to the support of spouse.

HB 209, An act relative to extra pay for the police force in the city of Manchester.

Mrs. Potter of Northumberland  
Mr. York of Concord

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 122, relating to redemption of specific devises.

### **Amendment to HB 122**

Amend the bill by striking out section 1 thereof and inserting in place thereof the following:

1 Specific Devises. Amend RSA 554:16 by striking out the same and inserting in place thereof the following: 554:16 Redemption of Property. The administrator, if there be sufficient assets, shall redeem all property of the deceased under mortgage, pledge or levy of execution for less than its value,

or which if unredeemed would diminish the value of the estate, unless he shall by license sell it subject to the encumbrance; and neglect so to redeem shall be deemed maladministration and waste. Provided however, when real estate under mortgage is specifically devised, the devisee shall take such real estate subject to the mortgage, unless the testator in his will or by insurance has provided expressly or by necessary implication that such mortgage be otherwise paid; and if the note or obligation of the testator secured by such mortgage be paid out of other property in his estate after his decease, the executor of his will, at the request of any person interested, and by leave of the probate court shall sell such specifically devised real estate for the purpose of satisfying the estate of the testator for the amount so paid, together with the cost and expenses thereof.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 264, relative to qualification by school districts for state financial aid.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 211, relative to the establishment of a cooperative school district in the Newfound area.

HB 285, relative to investments for savings banks.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

SB 21, An act relative to liens for cleaning, pressing, laundering, etc.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the

following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 207, providing immunity from liability in emergency cases.

### Amendment to HB 207

Amend section 1 of the bill by striking out in lines 7 and 8 the words "provided such treatment is rendered with due care" so that said section as amended shall read as follows: 1 Physicians and Surgeons. Amend RSA 329 by inserting after section 24 the following new section: 329:25 Emergency Treatment. No person, authorized to practice medicine under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency, without making any charge therefor, shall be liable for any civil damages as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care.

Amend the amendment by striking out in line 8 of section 1 of the bill the words "for" and "damages" and inserting in place respectively therefor the words, in, and, action, so that said section as amended shall read as follows:

1 Physicians and Surgeons. Amend RSA 329 by inserting after section 24 the following new section: 329:25 Emergency Treatment. No person, authorized to practice medicine under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency, without making any charge therefor, shall be liable in any civil action as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following: 2 Takes Effect. This act shall take effect on its passage.

\* \* \*

Mr. Totman of Alstead moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

Mr. Herbert of Windham moved that the House concur in the Senate amendment and spoke in favor of the motion.

Mr. Upton of Concord spoke against the motion.

Mr. Goodhue of Gilford spoke in favor of the motion.

Mr. Healy of Manchester spoke against the motion.

The motion was not adopted.

The question now being on the motion to non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Mr. Totman of Alstead, Mr. Wilkey of Westmoreland and Mr. Capistran of Manchester as conferees on the part of the House.

### Resolutions

Messrs. York and LaFlamme of Concord offered the following resolutions:

*Whereas*, Charles P. Coakley, a former Representative from Concord, Ward 1, has passed away, and

*Whereas*, He served as Alderman and was Overseer of the Poor, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his niece, Mrs. Katherine Toomey, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Mr. Smith of Plymouth offered the following resolutions:

*Whereas*, Fred C. Tobey, Sr., father of Mrs. Ruth Hampson, Representative from Hebron, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby offer our heartfelt sympathy to our Fellow Member in her bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to her, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Mr. Osborne of Portsmouth for the Rockingham County Delegation and Mr. Stafford for the Portsmouth Delegation offered the following resolutions.

*Whereas*, Andrew J. Barrett, a former Representative from Portsmouth, Ward 1 for over twenty years, has passed away, therefore be it resolved

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his son, Charles A. Barrett, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Mr. LaFlamme of Concord offered the following resolutions:

*Whereas*, Thomas J. Marshall, a former Representative from Dalton in 1919, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further



*Resolved*, That the Clerk of the House of Representatives transmit to his daughter, Mrs. Mathew H. Peabody, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Messrs. Plourde and Robinson of Pembroke offered the following resolutions:

*Whereas*, Gedeon Petit, Sr., a former Representative from Pembroke, has passed away, and

*Whereas*, He served as Selectman for nineteen years, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his son, Ernest E. Petit, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Messrs. Cote and Bernier of Manchester for the Manchester Delegation offered the following resolutions:

*Whereas*, William H. Craig, Sr., a former Representative from Manchester, has passed away, and

*Whereas*, He served in many city and Hillsborough County public offices, and

*Whereas*, He served several terms as Manchester's City Solicitor and two terms as Hillsborough County Solicitor, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his city, county and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his widow, Mrs. Emma J. Craig, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Messrs. Gay of Derry and Maxham of Concord offered the following resolutions:

*Whereas*, we have learned with sorrow of the passing of a former fellow member, Lewis H. Carpenter of Henniker, who has been elected by his fellow townspeople to serve as a member of the House of Representatives for several sessions, and

*Whereas*, Mr. Carpenter served his country in World War I and his town as a Municipal Court Judge for ten years, and

*Whereas*, he was an Honorary member of the New Hampshire Police Chiefs Association, therefore be it

*Resolved*, that we, the members of the House of Representatives in General Court convened, do hereby pay homage to Mr. Carpenter for his service to his town, state and country and extend our deepest sympathy to his family in its bereavement, and be it further

*Resolved*, that a copy of these resolutions be transmitted to his widow, Mrs. Ethel L. Carpenter.

The resolutions were unanimously adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for 3:00 this afternoon to be in order at the present time, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### Afternoon Session

On motion of Miss Whipple of Lebanon the House adjourned at 12:24 P.M.

TUESDAY, APRIL 16, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

DEAR LORD and FATHER of MANKIND: —

Let me today be a Christian not only in my words  
but also in my deeds:  
Let me follow bravely in the footsteps of my Master,  
wherever they may lead:  
Let me be hard and stern with myself:  
Let there be no self-pity or self-indulgence in my life today:  
Let my thinking be keen, my speech frank and open  
and my action courageous and decisive. Amen.

excerpt from  
Sunday Bulletin of the  
Groveton Methodist Church

### **Pledge of Allegiance to the Flag**

Mr. Watts of Deerfield led the Convention in the Pledge of Allegiance to the Flag.

### **House Introduction of Guests**

The Chair introduced a group of 7th and 8th grade students from Deerfield, courtesy of Mr. Watts of Deerfield.

The Chair also introduced a group of students from Thayer High School in Winchester, courtesy of Mr. Sawyer of Winchester.

The Chair also introduced a group of students from Hopkinton High School, courtesy of Mr. Reddy of Hopkinton.

The Chair also introduced a group of 8th grade students from Stark, courtesy of the Northumberland Delegation.

### **Leaves of Absence**

Mr. Bell of Plymouth was granted an indefinite leave of absence on account of illness.

Mrs. Berry of Barrington and Mr. Boutin of Benton were granted leave of absence for the week on account of important business.

Mr. Peaslee of Concord was granted leave of absence for the week on account of illness.

Messrs. Pinkham of Northwood, Ballam of Walpole, Shea of Keene, Ward 1, and Urie of New Hampton were granted leaves of absence for the day on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 519, relative to construction of buildings to be used by the public. (Gallagher of Hudson and Provencal of Hudson) to Public Works.

HB 520, relative to duties of the tax commission in equalization of taxes. (Kelley of Littleton) to Ways and Means.

HB 521, relative to certain benefits for teachers. (Uhlenberg of Gilmanton) to Education.

HB 522, prohibiting carrying pistols or revolvers while hunting for deer. (Clark of Kingston) to Fish and Game.

HB 523, relating to the sale of liquor and beverages in first-class restaurants. (Messrs. Bednar of Hudson and Kimball of Manchester) to Liquor Laws.

HB 524, empowering the state to reimburse towns for loss of taxes under certain circumstances. (Peterson of Peterborough) to Ways and Means.

HB 525, setting a date for application for motor vehicle number plates. (Willey of Campton and Soucy of Manchester) to Transportation.

HB 526, authorizing associations to make collateral and unsecured loans. (Pappagianis of Nashua) to Banks.

HB 527, relating to the assessment of taxes for the Tilton-Northfield Fire Precinct. (Rules Committee — Thompson of Northfield) to Municipal and County Government.

HB 528, relative to investment of funds of the university of New Hampshire. (Rules Committee — Peterson of Peterborough and Pappagianis of Nashua) to Banks.

HJR 29, providing additional funds for cancer commission. (Rules Committee — Bell of Plymouth) to Appropriations.

### **Committee Reports**

SJR 8, in favor of Philip E. Johnson, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### **Amendment to SJR 8**

Amend the resolution by adding at the end thereof the words "and shall be a complete and final settlement" so that said resolution shall read as follows:

That the sum of nine hundred and eighty four dollars is hereby appropriated to reimburse Philip E. Johnson of Milan for damages sustained by him as a result of his well becoming contaminated by the seepage of salt draining into said well from an abutting highway, to wit, Route 110B, which had been treated with salt in connection with snow removal operations by the highway department. The sum hereby appropriated shall be a charge on the highway funds and shall be a complete and final settlement.

\* \* \*

The amendment was adopted and the resolution was ordered to a third reading.

HB 427, to provide per diem for members of the aeronautics commission, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### **Amendment to HB 427**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Amend RSA 422:5 by striking out the same and inserting in place thereof the following: 422:5 Compensation. Each member of the commission may be paid twenty-five dollars for each day or portion thereof spent in attendance at monthly meetings held at times set by the commission. Each member of the commission may be paid for necessary expenses of travel incurred in performance of commission duties. The provisions

of this section shall not set a limit upon the number of special meetings which the commission or the director may call.

Amend section 2 of the bill by striking out the word "six" in the first line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

2 Appropriation. The sum of five thousand dollars, in addition to any money appropriated for the use of the aeronautics commission for the biennium ending July 1, 1965 is hereby appropriated for the purposes of this act. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 86, providing for a salary increase for classified state employees, Mr. Smith of Plymouth for Executive Departments and Administration. Inexpedient to legislate.

Mr. LaFrance of Manchester moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Angus of Claremont spoke in favor of the motion.

Mr. Stafford of Laconia moved that HB 86 be indefinitely postponed and spoke in favor of the motion.

Messrs. McMeekin of Haverhill and Peterson of Peterborough spoke in favor of the motion.

The motion to indefinitely postpone HB 86 prevailed.

HB 296, to adjust classified salaries of state employees, Mr. Stafford of Laconia for Executive Departments and Administration. Ought to pass with amendment.

### Amendment to HB 296

Amend the bill by inserting after paragraph III of section 1 the following new paragraph:

IV. The salary ranges for all classified state employees in professional positions at Keene and Plymouth Teachers Col-

leges determined to be such by the governor and council shall be established as follows:

<i>Title</i>	<i>Salary Grade</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Yearly Increment</i>
Assistant Instructor	14	\$4,950.14	\$6,150.04	300.00
Instructor	16	5,550.22	6,750.12	300.00
Assistant Professor	18	6,860.88	8,240.96	345.02
Associate Professor	21	7,724.86	9,485.58	440.18
Professor I	24	8,926.58	10,687.30	440.18
Professor II	25	9,403.42	11,084.06	420.16
Dean	26	9,649.38	11,750.18	525.20

Amend section 3 of the bill by striking out in the fifth line the figure "\$1,517,794" and inserting in place thereof the figure, 1,585,794, so that said section as amended shall read as follows:

3 Appropriations. There are hereby appropriated for the fiscal year ending June 30, 1964 for the salary increases for classified employees as provided herein, the following sums: \$1,585,794, from the general funds of the state, \$1,191,755 from highway funds, \$113,493 from fish and game funds, \$251,377 from federal funds and \$85,132 from self-sustaining funds. Like amounts chargeable to the same funds are hereby appropriated for the fiscal year ending June 30, 1965.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 398, relative to policemen's retirement system, Mr. Claveau of Hudson for Executive Departments and Administration. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 400 to provide group life insurance, and groups hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses. Mr. Carter of North Hampton for Executive Departments and Administration. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 432, relative to number of ballots to be printed for the primary election, Mr. York of Concord for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 149, relative to public meetings and records, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

### **Amendment to HB 149**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 91 the following new chapter:

### **91-A**

#### **Public Meetings and Records**

91-A:1 Public Meetings. All meetings of any governmental agency are declared to be open to the public except as hereinafter provided.

91-A:2 Executive Sessions. Any governmental agency may by majority vote conduct executive sessions provided that the purpose of such sessions shall be stated in the motion authorizing such executive sessions, and provided that any action taken in such executive session shall be made a matter of public record.

91-A:3 Public Records. All public records shall be made available by the lawful or regular custodian thereof, or such person as he shall authorize, for public inspection, except records declared to be confidential as herein provided.

91-A:4 Confidential Records. If in the opinion of any governmental agency certain records within its custody reasonably could be construed to be confidential, or where disclosure of such records would be contrary to the public interest, such governmental agency may, by official recorded action, deny public access of such records.

91-A:5 Minutes. All governmental agencies shall keep minutes of their meetings, which shall be promptly recorded and open to public inspection. Such minutes shall set forth the final formal action of such agencies relative to all matters including, but not limited to, the adoption of all resolutions, rules and regulations.



91-A:6 Exemptions. The following are exempted from the provisions of this chapter:

(a) Grand and petit juries.

(b) Parole and pardon boards.

(c) Meetings of judicial and quasi-judicial bodies, including but not limited to state licensing boards, held for the sole purpose of making a decision in any adjudicatory proceedings.

(d) Committees of the New Hampshire Legislature.

(e) Meetings or records of agencies by federal and state law declared to be confidential.

91-A:7 City Charters. If the charter of any city requires broader public access to official meetings and records than herein described, such charter provisions shall supercede the requirements of this chapter.

91-A:8 Definitions. As used in this chapter "governmental agency" shall include any administrative or legislative body of the state, or of any of its counties or municipalities, or of any other political subdivision of the state. As used in this chapter "public records" shall mean the records of any governmental agency.

91-A:9 Constitutionality. If any provisions of this chapter or its application to any person or governmental agency shall be held unconstitutional, such decision shall not affect the constitutionality of any other portion of the chapter or its application to any other governmental agency.

91-A:10 Violations. Any person who shall knowingly and wilfully violate the provisions of this chapter shall be fined not more than twenty-five dollars.

Nothing contained in this chapter shall be construed as abridging the right of any citizen or citizens to appeal to a court of this state for the enforcement of the rights provided for in this chapter.

2 Takes Effect. This act shall take effect January 1, 1964.

\* \* \*

Mr. Healy of Manchester moved that HB 149 be indefinitely postponed and spoke in favor of the motion.

Messrs. Totman of Alstead, Bednar of Hudson, Johnson of Hanover, and Upton of Concord spoke against the motion.

Mrs. Cooper and Mr. Cobleigh of Nashua spoke in favor of the motion.

Mr. Coutermarsh of Lebanon spoke in favor of the motion.

Mr. Healy of Manchester spoke a second time in favor of the motion.

(discussion ensued)

Mr. Johnson of Hanover spoke a second time against the motion.

(discussion ensued)

Mr. Peterson of Peterborough moved the previous question and it was sufficiently seconded.

The motion prevailed.

The question now being on the motion to indefinitely postpone HB 149.

The Yeas appeared to have it.

Mr. Totman of Alstead requested a division.

206 members having voted in the affirmative and 115 in the negative the motion to indefinitely postpone prevailed.

324, establishing the standard time, Mrs. Cooper of Nashua for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 346, relative to the authority of police employees, Mr. Pryor of Ashland for Judiciary. Ought to pass with amendment.

### **Amendment to HB 346**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Limitation in Towns Removed. Amend RSA 106-B:15 (supp) as inserted by 1961, 166:4, by striking out said section and inserting in place thereof the following: 106-B:15 Restrictions in Municipalities. A police employee shall not act within the limits of a town having a population of more than three thousand or of any city, except when he witnesses a crime

or is in pursuit of a law violator or suspected violator, or when in search of a person wanted for a crime committed outside its limits, or when in search of a witness of such crime or when requested to act by an official of another law enforcement agency, as provided under section 11, or when ordered by the governor.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

(Mr. McMeekin of Haverhill in the Chair)

HB 410, relative to investments of guardians and conservators, Mrs. Cooper of Nashua for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 470, providing for a referendum for dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough, Mr. Robinson of Pembroke for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 470**

Amend section 3 of the bill by inserting after the word "by" in the seventh line the words, vote of, so that said section as amended shall read as follows:

3 Departments Established. The precinct fire department shall become the fire department of the town of Hillsborough. The precinct waterworks shall become the water department of the town of Hillsborough. Said departments shall be governed and administered by regulations submitted by the respective commissioners and approved by vote of the town of Hillsborough.

Amend section 4 of the bill by striking out the words "a majority" in the sixth and thirteenth lines and inserting in place thereof the word, two-thirds, so that said section as amended shall read as follows:

4 Referendum. This act shall not take effect until a referendum has been had as herein provided. In the warrant for a special or annual town meeting in the town of Hillsborough shall be an article calling for a consideration of the adoption of

this act, and if two-thirds of the voters present and voting at such meeting shall approve the provisions hereof the act shall be deemed to have been adopted by the voters of the town. In like manner an article calling for a consideration of the adoption of this act shall be in a warrant for a special or annual meeting of the Hillsborough Bridge Village Fire Precinct and if two-thirds of the precinct voters present and voting at such meeting shall approve the provisions hereof the act shall be deemed to have been adopted by the voters of the precinct. If the act is adopted both by the town and the precinct it shall be effective as of the first day of January next following such action.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 99, relating to the practice of chiropractic, Mr. Green of Rollinsford for Public Health. Inexpedient to legislate.

The resolution was adopted.

HB 332, relative to the practice of dentistry and registration provisions, Mr. Green of Rollinsford for Public Health. Ought to pass.

The bill was ordered to a third reading.

### Resolutions

Messrs. Cavalieri and McEachern of Portsmouth and Mrs. Rubins of Rochester offered the following concurrent resolution:

*Whereas*, by the tragic loss of the attack submarine Thresher we are again brought to the full realization of the debt which we all owe to those who by their efforts defend the liberty and freedom we so greatly cherish; and

*Whereas*, so many of the one hundred and twenty-nine brave men who went down with the Thresher left families and personal friends in New Hampshire, making our grief particularly profound and all-reaching; now therefore be it

*Resolved*, by the House of Representatives the Senate concurring that in recognition of their selfless devotion to duty and on behalf of the people of New Hampshire, the General Court

conveys its deepest sympathy to the families and friends of those who gave their lives in the service of their country on the Thresher.

*Be it further Resolved*, that a copy of this resolution be sent to the Commandant of the Portsmouth Naval Shipyard and to the bereaved families.

On a rising vote the concurrent resolution was unanimously adopted.

\* \* \*

Messrs. Claffin and Chamberlain of Wolfeboro offered the following resolutions:

*Whereas*, H. Furber Jewett of Wolfeboro has passed away, and

*Whereas*, He was an Attache of the House of Representatives for several sessions, serving as Page and Supervisor of the Public Address System, and

*Whereas*, He was a veteran of World War II, therefore be it

*Resolved*, That we, the Members and Attaches of the House of Representatives of the New Hampshire General Court, hereby pay tribute to our Attache for his services to his country and to his state, for his friendliness to all and his willingness in the performance of his duties, and be it further

*Resolved*, That our deepest sympathy is extended to his family in its bereavement, that a floral tribute be procured for the funeral and that a copy of these Resolutions be transmitted to his widow, Mrs. Ethelda Jewett.

On a rising vote the resolutions were unanimously adopted.

\* \* \*

### Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 33, An act relating to date of the primary election.

HB 122, An act relative to redemption of specific devises.

HB 211, An act relative to the establishment of a cooperative school district in the Newfound area.

HB 240, An act relating to service exemptions.

HB 285, An act relative to investments for savings banks.

SB 21, An act relative to liens for cleaning, pressing, laundering, etc.

HB 48, An act relative to public libraries.

Mrs. Potter of Northumberland

### Qualified

Mr. Ernest W. Hemon of Ward 2, Dover, appeared before His Excellency, Governor John W. King, and having been duly qualified, appeared and took his seat in the House.

\* \* \*

The Chair announced that today is the 53rd wedding anniversary of Mr. and Mrs. Leighton of Dover.

The Chair also announced that today is the birthday of Messrs. Phelps of Andover and Keefe of Portsmouth.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following House bills and Senate Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

SJR 8, in favor of Philip E. Johnson.

HB 432, relative to number of ballots to be printed for the primary election.

HB 346, relative to the authority of police employees.

HB 410, relative to investments of guardians and conservators.

HB 470, providing for a referendum for dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough.

HB 332, relative to the practice of dentistry and registration provisions.

\* \* \*

On motion of Mrs. Potter of Northumberland the House adjourned at 12:58 P.M.

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WEDNESDAY, APRIL 17, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, humbly we enter into Thy divine presence to seek direction and purpose for this day. Strengthen us to resist the temptations of expediency and yet, grant us the wisdom of efficient and effective service as we face each new challenge. Give us courage to stand upon the eternal foundation of truth; to be champions of justice and righteousness in a world of nations and states where fear, mistrust, and selfishness vent their destructive powers — may our faith and righteousness exalt our nation and state through our love and devotion to the high ideals upon which we base our democracy and freedom. Inspire us this morning to do our best, to strive for the perfection of peace and human betterment, in spite of our human frailties. For this cause we pray in Thy Name, O Father of merciful love — Amen.

### **Pledge of Allegiance to the Flag**

Mr. Eastman of Weare led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced members of the N. H. League of Women Voters from various parts of the state.

The Chair also introduced a group of High School students from Weare, courtesy of Mr. Eastman of Weare.

The Chair also introduced a group of students from St. Marie High School in Manchester, courtesy of the Manchester Delegation.

### **Leaves of Absence**

Mr. Purington of Exeter was granted leave of absence for the day on account of illness.

Mr. McCarthy of Laconia was granted leave of absence for the day on account of important business.

Mr. Pinkham of Northwood was granted leave of absence for today and Thursday on account of important business.

### **Committee Reports**

HB 246, relative to horse or pony pulling contests, Mr. Adams of Madbury for Agriculture. Inexpedient to legislate.

The resolution of the committee was adopted.

HB 180, relative to the incorporation of trust companies, Mr. Hambleton of Goffstown for Banks. Ought to pass with amendment.

### **Amendment to HB 180**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 State Treasurer. Amend RSA 392:1 by striking out the words "deputy bank commissioner and the attorney-general" in the first and second lines and inserting in place thereof the words, state treasurer, the attorney-general, the insurance commissioner and the commissioner of resources and economic development, so that said section as amended shall read as follows:

392:1 Incorporation Board. The bank commissioner, the state treasurer, the attorney-general, the insurance commissioner and the commissioner of resources and economic development shall constitute a board for the incorporation of trust companies and other corporations of a similar character, shall be



known as the board of trust company incorporation, and shall receive no compensation for services on this board. The deputy bank commissioner shall serve as clerk of the board.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 194, relating to investments of savings banks, Mrs. Vey of Brentwood for Banks. Ought to pass.

The bill was ordered to a third reading.

HB 401, relative to training of fire fighters, Mrs. Demers of Lebanon for Education. Ought to pass.

The Chair ordered HB 401 to Appropriations under the rules.

HB 261, to increase the fees for registration and licensing of guides, Mr. Welch of Concord for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 258, to increase the fees for registration and licensing for propagation of fish and game. Ought to pass.

At the request of Mr. Kearns of Manchester, Mr. London of New London explained the bill.

Mr. Kearns of Manchester spoke against the bill and moved that HB 258 be indefinitely postponed.

The Chair ruled Mr. Kearns' motion out of order as he prefaced his motion with remarks.

Mr. Brown of Loudon spoke in favor of the bill.

Mr. Pickett of Keene moved that further consideration of HB 258 be indefinitely postponed.

Mr. London of New London spoke against the motion.

The motion to indefinitely postpone did not prevail.

The question now being, shall the bill be read a third time?

The bill was ordered to a third reading.

HB 274, relative to fishing without license by patients at veterans hospitals. Mr. Anderson of Warren for Fish and Game. Ought to pass with amendment.

### **Amendment to HB 274**

Amend the title of said bill by striking out the same and inserting in place thereof the following: An Act relative to fishing without license by patients at veterans hospitals and inmates of certain institutions.

Amend said bill by adding after section 1 the following new section: 2 Special Permits. Amend RSA 214 by inserting after section 14 the following new section: 214:14-a Special Provisions. Inmates at the Laconia State School, the New Hampshire Hospital in Concord and the Soldiers Home in Tilton may fish without a license on a special daily permit issued by the superintendent of any such institution when such form of recreation may be of therapeutic benefit to such inmates. The determination of benefit to said inmates shall be made upon recommendation of a director in charge at the institution. Inmates fishing under the provisions of this section shall be under the direct supervision of an employee of said institution. The fish and game director shall furnish permit forms to such institutions at their request to be filled out when used and returned to the director at the end of the month.

Further amend the bill by renumbering section 2 to read section 3.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 260, to establish a fee for importation of fish and game, Mr. LaFrance of Manchester for Fish and Game. Ought to pass.

Mr. Kearns of Manchester moved that HB 260 be indefinitely postponed and spoke in favor of the motion.

Mr. Vashaw of Berlin spoke against the motion.

The motion to indefinitely postpone did not prevail.

The question now being, shall the bill be read a third time.

The bill was ordered to a third reading.

HB 343, establishing minimum standards for mobile homes under city building codes, Mr. Spanos of Newport for Judiciary. Ought to pass with amendment.

### **Amendment to HB 343**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Mobile Homes. Amend RSA 47 by inserting after section 22 the following new section: 47:22-a Mobile Homes and Travel Trailers. The board of mayor and aldermen, or the corresponding governmental body of any city is hereby empowered and authorized to establish minimum construction standards for mobile homes and travel trailers used as dwellings in the city, by adopting by reference any nationally recognized code for mobile homes or travel trailers that has been printed as a code or any portions thereof, or any amendments to such code, to apply to all mobile homes and travel trailers manufactured on or after January 1, 1964; provided that upon adoption of such ordinance wherein such code or portions thereof have been incorporated by reference, there shall be filed three copies of such code in the office of the building inspector and three copies in the office of the city clerk. All copies of any code filed as provided herein shall be for the use and examination by the public.

2 Takes Effect. This act shall take effect January 1, 1964.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 434, relating to minimum wages of employees in public works, Mr. Dion of Manchester for Labor. Ought to pass.

The bill was ordered to a third reading.

SB 16, relative to sales of liquor and beverages by restaurants, Mr. Murch of Portsmouth for Liquor Laws. Ought to pass with amendment.

### **Amendment to SB 16**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 First Class Restaurants. Amend RSA 178:3-a (supp) as inserted by 1957, 47 by adding at the end thereof the following: Notwithstanding the fact that the town of Newington has voted or votes in any referendum to prohibit the sale of liquor and beverages, a permit as provided in RSA 181:4 and a license to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to bona fide customers with meals at tables only, may be issued to any first-class restaurant in said town of Newington, but only if the restaurant is open and does business at least ten months of every calendar year and said restaurant shall meet all other requirements of this section, so that said section as amended shall read as follows:

178:3-a Licenses for Restaurants. The commission may issue a license to any first class restaurant in any town, if such restaurant also holds a permit provided under RSA 181:4, which shall entitle the licensee to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, with meals at tables only in the restaurant; said liquor and/or fortified wines to be consumed with meals at tables only in the approved dining rooms of said restaurant. Minimum charge for said meals shall be not less than one dollar each. The determination of what is a first class restaurant is to be within the discretion of the commission. Licenses shall be granted only to such restaurants as the commission at its discretion shall approve and then only to such restaurants as can show the commission on forms and under regulations prescribed by the commission that at least sixty per cent of the gross sales shall fall within the category of food. Annually thereafter or as may seem necessary the commission shall review each license and/or each application for renewal on the conditions stated in this section. No license shall be granted to any restaurant under the provisions of this section in any town or city that has voted to prohibit the sale of alcoholic beverages within its confines. Notwithstanding the fact that the town of Newington has voted or votes in any referendum to prohibit the sale of liquor and beverages, a permit as provided in RSA 181:4 and a license to sell liquor by the glass and fortified wines by the bottle, if the cork is drawn, to bona fide customers with meals at tables only, may be issued to any first class restaurant in said town of Newington, but only if the restaurant is open and does business at least ten months of every calendar year and said restaurant shall meet all other requirements of this section.

At the request of Mr. Oliver of Marlborough, Mr. Nahil of Claremont explained the amendment.

(discussion ensued)

Mr. Murch of Portsmouth spoke in favor of the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 489, legalizing certain procedures at the 1962 annual meeting in the town of Conway, Mr. Hill of Conway for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 465, relative to posting warrants for election of school district officers at town meeting, Mr. Barker of Stratham for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 465**

Amend said bill by inserting after Section 1 the following new Section:

2 Petition Authorized. Amend RSA 197 by inserting after section 1-g hereinabove inserted the following new Section: 197:1-h Question on the Ballot. Upon written application of twenty-five or more voters in the school district, presented to the school board or one of them at least thirty days before the day prescribed for an annual school meeting, the school board shall insert in their warrant for such meeting an article calling for the adoption of the provisions of section 1-a, by a ballot vote. The school district clerk in making up the official ballot for said school meeting shall insert thereon the following question: "Shall the district elect its district officers at the annual meeting of the town as provided by RSA 197:1-a?" This question shall be followed by the word "yes" and the word "no" with blocks after each such word where the voter may indicate his choice. If a majority of the voters present and voting on the question shall vote in the affirmative on the question the same shall be declared to have been adopted. The provisions of this section shall not apply to a school district which does not have an official ballot.

Further amend said bill by renumbering Section 2 to read Section 3.

\* \* \*

At the request of Mr. Ferguson of Milford, Mr. Hill of Conway explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 311, relative to licensed practical nurses, Mr. Green of Rollinsford for Public Health. Inexpedient to legislate.

The resolution was adopted.

HB 327, relating to education of children residing on state-owned property, Mr. Maxham of Concord for Public Welfare and State Institutions. Ought to pass.

The Chair referred HB 237 to Appropriations under the Rules.

HB 324, providing for an additional reviewing appraiser in the department of public works and highways, Mr. Taft of Greenville for Public Works. Inexpedient to legislate.

The resolution was adopted.

HB 245, relative to maintenance of bridges on Class II highways, Mr. Taft of Greenville for Public Works. Inexpedient to legislate.

The resolution was adopted.

HB 421, relative to fees for motor vehicles under motor-vehicle junk license, Mr. Claffin of Wolfeboro for Transportation. Ought to pass with amendment.

### Amendment to HB 421

Amend section 1 of the bill by adding at the end thereof the following words, the fee herein prescribed shall apply to all such vehicles registered on and after the effective date of this act, so that said section as amended shall read as follows:

1 Motor Vehicle Fees. Amend paragraph X of RSA 262:1 by striking out said paragraph and inserting in place thereof the following: X. For motor vehicles owned by or under the control of a motor vehicle junk license, twenty-five dollars for

the first six thousand pounds and at the same rates set forth in paragraph IV of this section for any additional weight over six thousand pounds. The fee herein prescribed shall apply to all such vehicles registered on and after the effective date of this act.

Amend section 2 of the bill by striking out the words and figures "as of January 1, 1964" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mr. Coutermarsh of Lebanon moved that the rules of the House be so far suspended as to permit the introduction of a resolution not previously passed on by the Rules Committee.

### Resolution

*Whereas*, the financial stability of a great many families in the City of Lebanon and surrounding towns was abruptly disrupted by the closing of the Goldfine Mills,

*And Whereas*, as a result, many workers are daily required to travel long distances to pursue gainful employment, required to take part-time, low-wage and seasonal employment, and others are totally unemployed,

*And Whereas*, fourteen months have expired since the appointment of the Receiver and no effective steps have yet been taken by the Receiver to insure the re-opening of the Mills for the benefit of the Community,

*And Whereas*, the Lebanon Chamber of Commerce, the Industrial Committee of Lebanon, and the Lebanon Industrial Improvement Association have all expressed their deep concern that the Mills be reopened at the earliest possible date and that they not be liquidated and closed,

*And Whereas*, the United States District Court has acted favorably on a petition of the United States Government to

enlarge the powers of the Receiver to enable him to convey good title to the Mill properties,

*And Whereas*, it is understood that there are available responsible milling interests which are able, willing and ready to occupy the Mills for the immediate employment of these distressed citizens,

*And Whereas*, the reopening of the Mills will result, over a period of time, in the saving of hundreds and thousands of dollars to the taxpayers of New Hampshire by the reduction of the amounts required for unemployment compensation, and the City of Lebanon and surrounding towns for direct relief,

*Now Therefore*, be it resolved by the House of Representatives assembled that the Federal Administration be fully mindful of the acuteness and seriousness of the Lebanon situation to the end that it will take all possible steps to bring about the reopening of the Lebanon Mills and the re-employment of the people.

*Be it Further Resolved* that the Attorney-General be directed to represent to the District Court the interests of the State in accordance with the foregoing; and

*Be it Further Resolved* that the House of Representatives hereby expresses its appreciation to Governor John H. King and the State Agencies for their assistance to date in this crucial matter.

*And Be it Further Resolved* that a copy of this resolution be sent by the office of the Secretary of State to Norris Cotton, U. S. Senator, and Thomas J. McIntyre, U. S. Senator, and to James C. Cleveland and Louis C. Wyman, U. S. Representatives, to Governor John W. King and to John C. Cone. Receiver.

Ernest R. Coutermarsh  
Gladys L. Whipple  
Arthur F. Adams  
George H. Beard  
Robert M. Lewis  
Mary E. Demers



The Clerk read the resolution in full.

Mr. Coutermarsh of Lebanon spoke in favor of the motion.

The motion was adopted.

Mr. Coutermarsh moved that the rules of the House be so far suspended as to permit action on the resolution at the present time.

The motion was adopted.

Mr. Coutermarsh of Lebanon moved that the resolution be adopted.

The resolution was adopted.

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 137, relative to passenger tramways.

### **Amendment to HB 137**

Amend the bill by inserting after section 7 the following new section.

8 Submission of Plans. Amend RSA 225-A by inserting after section 10 the following new section. 225-A:10-b Review of Plans and Inspections. Prior to the construction of a new, or the alteration of an existing, passenger tramway, the operator or prospective operator shall submit plans and specifications to the department. The department may make recommendations relative to safety of the layout and equipment, but such recommendation shall not relieve the operator or prospective operator of his primary responsibility as set forth in section 1.

Further amend the bill by renumbering section 8 to read section 9.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 10, Joint Resolution in favor of Bertha F. Masson of Manchester.

### **Introduction of a Senate Joint Resolution**

SJR 10, in favor of Bertha F. Masson of Manchester, was read a first and second time and referred to Claims and Aeronautics.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 240, relating to service exemption.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 183, An act relative to the definition of a hairdressing shop and the President has appointed as members of said Committee on the part of the Senate: Senator Gardner and Senator Paquette.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 207, An act providing immunity from liability in emergency cases and the President has appointed as members of said Committee on the part of the Senate: Senator Rainie and Senator Martel.

### **Reconsideration**

Mr. Murch of Portsmouth having voted with the majority moved that the House reconsider its vote whereby it killed HB 246, relative to horse or pony pulling contests, and spoke against the motion.

The motion was not adopted.

### Personal Privilege

Mr. Willey of Campton rose on a point of personal privilege.

\* \* \*

The Chair announced that today is the birthday of Mr. Goodfellow of Dorchester and yesterday was the birthday of Mr. Bushey of Northumberland.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 180, relative to the incorporation of trust companies.

HB 194, relating to investments of savings banks.

HB 261, to increase the fees for registration and licensing of guides.

HB 258, to increase the fees for licensing for propagation of fish and game.

HB 274, relative to fishing without license by patients at veterans hospitals.

HB 260, to establish a fee for importation of fish and game.

HB 343, establishing minimum standards for mobile homes under city building codes.

HB 434, relating to minimum wages of employees in public works.

HB 489, legalizing certain procedures at the 1962 annual meeting in the town of Conway.

HB 465, relative to posting warrants for election of school district officers at town meeting.

HB 421, relative to fees for motor vehicles under motor-vehicle junk license.

\* \* \*

SB 16, relative to sales of liquor and beverages by restaurants, the question being shall the bill be read a third time.

Mrs. Grey of Canaan spoke against third reading.

Mr. Angus of Claremont spoke in favor of third reading.  
(discussion ensued)

Messrs. Collishaw of Exeter, Nahil of Claremont and Stevenson of Bethlehem spoke in favor of third reading.

Mr. Pappagianis of Nashua moved that SB 16 be made a Special Order of business for 11:01 on Thursday next (tomorrow) and spoke in favor of the motion.

Mr. Angus of Claremont spoke in favor of the motion.  
The motion was adopted.

Mr. Feldman of Manchester requested a division vote.

176 members having voted in the affirmative and 128 in the negative, the motion for Special Order was adopted.

\* \* \*

On motion of Mrs. Taylor of Whitefield the House adjourned at 12:59 P.M.

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THURSDAY, APRIL 18, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

Almighty God; Thou who hast watched over our Granite State and hast guided us from bondage, through our spiritual faith and personal courage, to achieve freedom's liberty with abundance — inspire us to greater heights of patriotism to

Thee, our state, and our nation. Revive the faith and courage that hast made us precious in Thy sight, enabling us to overcome the evils of selfishness, complacency, and apathy that seeks to destroy our inheritance of freedom and desires to enslave us. Grant us patience, sympathy and love, that together with our fellow-men, we may establish more of justice, righteousness, and good-will to preserve our heritage. Continue Thy blessing upon our Governor, his Council, and the Members of this Joint Convention in their efforts to protect the light of liberty entrusted to them. In Thy Name we seek the blessing of peace and prosperity, crowned by Thy eternal light of love. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Cheney of Newton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House:

A group of students from Newton Memorial School, courtesy of Mr. Cheney of Newton.

A group of students from Fairgrounds Junior High School from Nashua, courtesy of the Nashua Delegation.

The Civics Class from Pembroke Academy, courtesy of the Pembroke Delegation.

#### **Leaves of Absence**

Mr. Crouch of Durham was granted an indefinite leave of absence on account of a death in the family.

Mr. Keough of Gorham was granted a two weeks leave of absence on account of important business.

Mr. Purington of Exeter was granted leave of absence for the day on account of illness.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 529, relative to liquor sales representatives. (Scott of Derry) to Liquor Laws.

HB 530, regulating the filing of liens on motor vehicles. (Scott of Derry) to Judiciary.

HB 531, relative to unemployment compensation. (Angus of Claremont) to Labor.

HB 532, relative to classification of temporary and seasonal state employees. (Mahoney of Manchester, Ward 4) to Executive Departments and Administration.

HB 533, relative to sale of furniture. (Bouchard and Desilets of Berlin) to Judiciary.

HB 534, relative to the public assistance fund. (Rules Committee — Mr. Spanos of Newport) to Appropriations.

HB 535, eliminating the office of farm supervisor and providing for an additional assistant business supervisor. (Rules Committee — Spanos of Newport) to Executive Departments and Administration.

HB 536, relating to the expenses of the public utilities commission. (Rules Committee — Mr. Spanos of Newport) to Ways and Means.

HB 537, abolishing the motor boat fund. (Rules Committee — Spanos of Newport) to Ways and Means.

HB 538, relating to the subdivision of land. (Claffin of Wolfeboro) to Municipal and County Government.

### **Committee Reports**

HB 121, relative to the construction of physical education facilities at the University of New Hampshire, Mrs. Taylor of Whitefield for Appropriations. Ought to pass with amendment.

### **Amendment to HB 121**

Amend section 3 of said bill by striking out the word "thirty" in the fourteenth line and inserting in place thereof the word, twenty, so that said section as amended shall read as follows:

3 State Bonds or Notes. The governor, upon receipt of a request from the board of trustees of the university, and by and

with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding three million six hundred and sixty thousand dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HJR 26, in favor of Albert E. Jones and Theresa Jones, Mr. Gove of Concord for Appropriations. Ought to pass with amendment.

### Amendment to HJR 26

“That the commissioner of public works and highways is hereby authorized and directed to purchase said real estate in the name of the state, provided that the owners thereof will accept the sum of eleven thousand five hundred dollars therefor, such sum to include full settlement and discharge of any and all claims which said owners may have against the state to the date of purchase. The sum of eleven thousand five hundred dollars is hereby appropriated for the purposes hereof, such appropriation to be a charge upon the highway fund. Upon acquisition of said real estate the commissioner of public works and highways, acting in behalf of the state, may sell all or a portion of said real estate at public auction upon such notice, terms and conditions as the governor and council shall approve,

and the proceeds of such sale, less the cost and expenses thereof, shall be paid into the highway fund.”

\* \* \*

The amendment was adopted and the House Joint Resolution was ordered to a third reading.

HJR 27, in favor of Arthur Webster and Helen Webster, Mr. Ring of Hampton for Appropriations. Ought to pass with amendment.

### **Amendment to HJR 27**

“That the commissioner of public works and highways is hereby authorized and directed to purchase said real estate in the name of the state, provided that the owners thereof will accept the sum of nine thousand five hundred dollars therefor, such sum to include full settlement and discharge of any and all claims which said owners may have against the state to the date of purchase. The sum of nine thousand five hundred dollars is hereby appropriated for the purposes hereof, such appropriation to be a charge upon the highway fund. Upon acquisition of said real estate the commissioner of public works and highways, acting in behalf of the state, may sell all or a portion of said real estate at public auction upon such notice, terms and conditions as the governor and council shall approve, and the proceeds of such sale, less the cost and expenses thereof, shall be paid into the highway fund.”

\* \* \*

The amendment was adopted and the House Joint Resolution was ordered to a third reading.

HJR 28, in favor of Chanel L. Lavoie, Mr. Prescott of Laconia for Appropriations. Ought to pass with amendment.

### **Amendment to HJR 28**

“That the commissioner of public works and highways is hereby authorized and directed to purchase said real estate in the name of the state, provided that the owner thereof will accept the sum of seven thousand five hundred dollars therefor, such sum to include full settlement and discharge of any and all claims which said owner may have against the state to the date of purchase. The sum of seven thousand five hundred dollars is hereby appropriated for the purposes hereof, such



appropriation to be a charge upon the highway fund. Upon acquisition of said real estate the commissioner of public works and highways, acting in behalf of the state, may sell all or a portion of said real estate at public auction upon such notice, terms and conditions as the governor and council shall approve, and the proceeds of such sale, less the cost and expenses thereof, shall be paid into the highway fund."

\* \* \*

The amendment was adopted and the House Joint Resolution was ordered to a third reading.

HB 164, providing for recompilation of volume 2 of the Revised Statutes Annotated, Mr. Belcourt for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 236, relative to investments of credit unions, Mr. Heald of Keene for Banks. Ought to pass with amendment.

### Amendment to HB 236

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Real Estate Mortgages. Amend RSA 394:17 (supp) as amended by 1955, 213:1 and 1959, 88:1, by striking out said section and inserting in place thereof the following: 394:17 Use of Funds. While awaiting calls of its members for loans, it may deposit its money in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in this state, or, by majority vote of the board of directors, in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in New England or, with like vote, may make loans to other credit unions chartered under the laws of this state provided that the lending credit union has assets of one hundred thousand dollars or more. It may invest any surplus funds in obligations of the United States government or of the state, or of any county, city or town of the state, issued pursuant to authority of law. Any credit union with assets of two million dollars or more may purchase real estate mortgages wherever situate which are guaranteed by the federal housing administration.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 253, relating to the qualifications of trustees and directors of certain banking institutions and credit unions, Mr. Bigelow of Warner for Banks. Inexpedient to legislate.

The resolution was adopted.

HB 273, relating to investments of savings banks, Mr. Stevens of Epsom for Banks. Ought to pass with amendment.

### **Amendment to HB 273**

Amend section 1 of the bill by adding at the end thereof the words, Provided, however, that the authority granted by this section shall be limited to participation in mortgage loans as described in paragraphs I, II, III and VI of section 4 of this chapter, so that said section as amended shall read as follows:

1 Participation with S.B.A. in Mortgage Loans. Amend RSA 387 by inserting after section 17 (supp) as amended by 1955, 214:11, the following new section:

387:17-a Small Business Administration. The Small Business Administration, an agency of the United States, shall be deemed qualified by state law to be an originating lender or a participating lender, within the meaning of this chapter and the definitions contained in paragraphs XIII, XIV and XV of section 1 of this chapter, in participation with any of the other kinds of institutions mentioned therein. Provided, however, that the authority granted by this section shall be limited to participation in mortgage loans as described in paragraphs I, II, III and VI of section 4 of this chapter.

Amend said bill by inserting after section 3 the following new sections:

4 Reserves. Amend RSA 387:2 by inserting at the end thereof the following new paragraph: I. Provided further, however, that the foregoing reserve may be reduced to not less than five per cent of deposits, but whenever such reserve is less than fifteen per cent of deposits it must include at all times an amount equal to at least five per cent of deposits in cash including balances in other banks and/or obligations of the United States of America which mature in five years or less.

5 Mortgage Ratio. Amend paragraph IV of RSA 387:3 (supp) as amended by 1959, 229:1, by striking out the word "eighty-five" in the first line and inserting in place thereof the word, ninety, so that said paragraph as amended shall read as follows: IV. Not exceeding ninety per cent in aggregate of the deposits shall be invested in loans authorized by section 4 of this chapter provided, however, (1) that to the extent investments in such loans shall exceed in the aggregate seventy-five per cent of deposits an amount not less than such excess shall be invested either in that portion of mortgage obligations which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time or in mortgage obligations wholly guaranteed under such title, or in mortgage obligations the payment of which is insured by the Federal Housing Commissioner or by the Secretary of Agriculture, and (2) that not exceeding ten per cent of the deposits shall be invested in loans secured by mortgages upon real estate outside of New England and not otherwise insured or guaranteed as provided in paragraphs IV and V of section 4 of this chapter.

6 Educational Loans. Amend RSA 387:5 (supp) as amended by 1953, 195:1 and 1955, 214:17 by inserting after paragraph IV the following new paragraph: V. Notes which are guaranteed as to payment of at least eighty per cent of their outstanding principal from time to time by the New Hampshire Higher Education Assistance Foundation.

7 Prudent Man Rule. Amend RSA 387:18 (supp) as amended by 1953, 195:1, and 1955, 214:12, by striking out the word "ten" in the second line of paragraph (a) and inserting in place thereof the word, five, and by adding at the end thereof the following, (c) Provided further, however, that a bank having capital funds of less than ten per cent of deposits may invest an amount not exceeding that by which its capital funds exceed five per cent of deposits in securities authorized for investment under this section, so that said section as amended shall read as follows:

387:18 Prudent Investments. Not exceeding five per cent of the deposits of a savings bank or the savings department of a banking and trust company may be invested, subject to the limitations expressed in section 3 of this chapter, in securities which are not authorized investments under sections of this

chapter numbered 6 to 16 inclusive, but which are prudent investments for such a bank to make, provided: (a) The bank making such investment shall have capital funds equal to at least five per cent of its deposits; and (b) The securities being purchased under the authorization of this section do not, when added to all other securities then owned by the bank, the purchase of which would not then be authorized by other sections of this chapter, exceed five per cent of its deposits; and (c) Provided further, however, that a bank having capital funds of less than ten per cent of deposits may invest an amount not exceeding that by which its capital funds exceed five per cent of deposits in securities authorized for investment under this section.

Further amend said bill by renumbering section 4 to read section 8.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 497, relative to restoration to service under teachers' retirement system, Mr. Lewis of Lebanon for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 349, relative to photographic copies of evidence, Mr. Upton of Concord for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 492, relative to term of office of town clerks, Mr. White of Atkinson for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 493, relative to compensation of the special justice for Portsmouth municipal court, Mrs. White of Portsmouth for the Portsmouth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 313, relative to the bank advisory board, Mrs. Sadler of Portsmouth for Banks. Ought to pass with amendment.

### Amendment to HB 313

Amend section 2 of the bill by striking out the word "banking" in the sixteenth line so that said section as amended shall read as follows:

2 Membership of Advisory Board. Amend RSA 383:20 (supp) as inserted by 1961, 278:1, by striking out said section and inserting in place thereof the following: 383:20 Appointment and Term. The advisory board shall consist of ten members, seven members to be appointed by the governor with the advice and consent of the council from nominations made from each of the following groups, namely, mutual savings banks, the trust companies, the guaranty savings banks, the national banks with principal offices in New Hampshire, cooperative banks (including building and loan associations), consumer finance companies with principal offices in New Hampshire, and the credit unions, each of whom shall select a panel of three persons representing its type of institution and from each of the seven panels thus selected one person shall be appointed to the advisory board. The terms of office of said members shall be for six years each, except that for the first appointments one member shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, and two for a term of six years. In addition, the speaker of the house shall appoint two members and the president of the senate shall appoint one member, who shall serve for a term of four years. Each member of the board shall serve until his successor has been appointed and qualified and vacancies shall be filled for the unexpired term in the same manner in which the original appointments were made. The advisory board shall also act as a committee to study the banking laws and make such recommendations as they see fit to any future session of the legislature. The chairman shall be elected by the board from its members annually at the first regular quarterly meeting. A vice-chairman and clerk shall be elected at the same meeting and the clerk may be other than a member of the board. Special meetings may be held at different places about the state.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

The Chair called for the Special Order of Business at 11:01, SB 16. relative to sales of liquor and beverages by restaurants. The question being, shall the bill be read a third time.

Mr. Pappagianis of Nashua spoke in favor of ordering the bill to a third reading.

(discussion ensued)

At the request of Mr. Oliver of Marlborough, Mr. Collishaw of Exeter explained the bill.

Mrs. Grey of Canaan spoke in favor of passing the bill.

SB 16 was ordered to a third reading.

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 47, An act relating to the conduct of sweepstake races and the sale of tickets thereon.

### **Amendment to HB 47**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Sweepstakes. Amend RSA 284 by inserting after section 21 the following new subdivision:

#### **Sweepstakes**

284:21-a State Sweepstakes Commission. There shall be and hereby is created a state sweepstakes commission consisting of three members who shall be appointed and may be for cause removed by the governor with the advice and consent of the council. One member shall be appointed for one year, one for two years and one for three years, and upon the expiration of their terms of office their successors shall be appointed for a term of three years. Any vacancy shall be filled by appointment for the unexpired term. The members shall serve until their successors are appointed and qualified. No member of the commission shall have any pecuniary or other interest in any licensee licensed under the provisions of this chapter to conduct a sweepstakes race.

284:21-b Organization. The commissioners shall select one from their number to be chairman and another to be secretary of the commission. Two of the members of the commission shall constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all proceedings of the com-

mission and to preserve all books, documents, papers and records addressed to its care.

284:21-c Bond. Members of the commission shall give bond to the state in such amount as shall be determined under the provisions of RSA 92:2 (supp) as amended by 1957, 296:1.

284:21-d Compensation. Each member of the commission shall receive a salary of twenty-four hundred dollars per year and shall be allowed his reasonable expenses, including transportation, incurred in the performance of his duties to be audited and allowed by the governor and council.

284:21-e Office. The commission shall have an office in Concord.

284:21-f Disbursements. The compensation of the commissioners, expenses of the commissioners, compensation of assistants and other necessary expenses of the commission, including suitable furniture, equipment, supplies and office expenses shall be charged to and paid out of the funds received under the provisions of this subdivision, provided that no payment shall be made until sufficient money has been received under the provisions of this subdivision to cover said payments.

284:21-g Report of the Commission. The commission shall make an annual report to the governor on or before the first day of February in each year, including therein an account of its actions, receipts derived under the provisions of this subdivision, the practical effects of the application thereof, and any recommendation for legislation which the commission deems advisable.

284:21-h Authorization. The sweepstakes commission is hereby authorized to contract with any licensee to conduct, within the enclosure of any race track of a licensee where there is held a race or race meet licensed and conducted under this chapter, but not elsewhere, to conduct not over two sweepstakes races in each calendar year. Tickets for such sweepstakes shall be sold by the sweepstakes commission, such sales to be made only within such enclosure and in state liquor stores. The state liquor commission is hereby directed to cooperate with the sweepstakes commission in the sale of tickets in state liquor stores; and proceeds of ticket sales shall be remitted by the state liquor commission to the state treasurer for disposition as hereinafter set forth.

284:21-i Rules and Regulations. The sweepstakes commission shall make the rules and regulations for the holding and conducting of such sweepstake races and the sales of tickets thereon not inconsistent with this subdivision and shall be empowered to employ such technical assistants and employees to carry out the provisions of this subdivision as the governor and council shall authorize. Such assistants and employees shall receive compensation at rates to be established by the personnel commission. The sweepstakes commission shall establish and fix the purses, not exceeding in the aggregate for a single calendar year the sum of two hundred thousand dollars, to be awarded horses in said sweepstakes races; shall establish the price, to be not more than three dollars each, for which tickets upon said sweepstakes shall be sold; shall establish the method whereby tickets sold upon said sweepstake races shall be determined to be winning tickets; and shall establish the money or prizes to be awarded holders of winning tickets.

284:21-j Disposition of Proceeds. Notwithstanding the provisions of RSA 6:11, the sweepstakes commission shall hold the proceeds of ticket sales in a special fund, from which it shall pay expenses incident to the administration of this subdivision, such expenses to include, but not be limited to, the expenses incurred in the printing, distribution and sale of tickets, the purses awarded horses, the prize money awarded the holders of winning tickets, as well as the net expense incurred by the licensee necessary and incidental to the conduct of said races. Any balance remaining from such proceeds shall be paid to the state treasurer who shall keep the same in a separate fund which shall be paid out on December fifteenth of each year to the school districts of the state on a flat grant per resident pupil basis. Such grants shall be used for educational purposes and no part of said special fund shall be diverted, by transfer or otherwise, to any other purpose whatsoever.

284:21-k Local Option. The following question shall be submitted to the voters in cities and towns on the usual ballot at the biennial election in November of 1966 and at each biennial election thereafter: "Shall sweepstakes tickets be sold in this city or town?"

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies disapproval of



the above question, the sweepstakes commission shall not sell tickets under the provisions of this subdivision in said city or town.

If a majority of the qualified voters present and voting at any biennial election of a city or town signifies approval of the above question, the sweepstakes commission shall, if possible under the other provisions of this subdivision, sell tickets in said city or town.

284:21-1 Effect on Other Laws. All acts and parts of acts inconsistent with the provisions of this subdivision are hereby amended to the extent of the provisions of this subdivision.

2. Interim Local Option. The following question shall be submitted to the voters in all cities and towns on a special ballot prepared by the secretary of state at the presidential preference primary to be held on the second Tuesday in March in 1964: "Shall sweepstakes tickets be sold in this city or town?" The provisions of 284:21-k as inserted above by this act authorizing the sweepstakes commission to sell tickets or prohibiting the sale of tickets shall be applicable to the results of the vote in cities and towns provided for by this section.

3. This act shall take effect sixty days after passage.

\* \* \*

On motion of Mr. Coutermarsh of Lebanon, reading of the amendment was dispensed with.

Mr Pickett of Keene moved the House concur in the Senate amendments and spoke in favor of the motion.

(discussion ensued)

Mr. Peterson of Peterborough moved that further action on the amendment to HB 47 be postponed until Tuesday, May 7th at 11:01 A.M., so that an advisory opinion might be obtained from the Supreme Court, pursuant to the following resolution:

### **Resolution Requesting Advisory Opinion**

*Whereas* House Bill No. 47 "An act relative to the conduct of sweepstake races and the sale of tickets thereon" as amended by the Senate is now pending in the House of Representatives; and

*Whereas* this bill provides for the sale of sweepstakes tickets subsequently to be followed by a drawing or "lottery" to determine the ticket-holders on the horses ultimately starting the race; and

*Whereas* if such sweepstakes are conducted at Rockingham Park it is probable that numerous sweepstakes tickets will be sold to non-residents who will be likely to carry the same across a state line when they return home and to return with the same across the state line for the day of the drawing, or else to redeem the same if the holder's ticket is drawn; and

*Whereas* the Congress of the United States has enacted Title 18, S. 1301 and S. 1953, U. S. Code which may apply to such interstate transportation; and

*Whereas* there are thus presented important questions of law on a measure now pending in the House of Representatives:

*Now therefore*, Be it Resolved:

That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

(1) Would each employee of the state and/or a licensee engaged in selling sweepstakes tickets be liable to the special fifty-dollar federal stamp tax imposed by Sec. 4411, Title 26, U. S. Code and must such tax be paid in advance before any such sweepstakes tickets are sold by any such person as provided in Sec. 4901, Title 26, U. S. Code?

(2) Would the payment by the State Sweepstake Commission of prize money to winning ticket holders or the payment of purses to the owners of winning horses out of the proceeds of the sale of such sweepstakes tickets by the state violate any provision of the state or federal constitutions?

(3) Would the State of New Hampshire or any other person, organization or agency be subject to the ten percent federal excise tax on wagers imposed by Title 26, U. S. Code, Sec. 4401 as amended?

(4) In selling sweepstakes tickets at Rockingham Park and elsewhere with knowledge that some of the tickets will be carried across state lines by their respective purchasers, would a licensee, the State Sweepstakes Commission or its employees

thereby be subject to prosecution for violation of Title 18, U. S. Code S. 1301 or sec. 1953?

(5) Will a New Hampshire citizen or citizen of another state who purchases a New Hampshire sweepstakes ticket and thereafter knowingly crosses a state line with said ticket in his possession be liable to prosecution under federal law, particularly Title 18, sec. 1301 or sec. 1953?

(6) Would the redemption of a winning sweepstakes ticket with knowledge that it had been carried or transmitted across a state line for redemption, by either a licensee, the State Sweepstakes Commission or its employees, subject either the licensee, the Commission or its employees, to prosecution under Title 18, U. S. Code, sec. 1301 or sec. 1953 for "taking or receiving" such ticket?

*And be it Further Resolved* that the Clerk be directed to transmit six copies of this resolution and of House Bill No. 47 with Senate amendments to the Clerk of the Supreme Court for consideration by the Court.

The Clerk read the resolution in full.

Mr. Peterson of Peterborough spoke in favor of the motion.

(discussion ensued)

Mr. Pappagianis of Nashua spoke in favor of the motion.

(discussion ensued)

Mr. Conover of Manchester spoke in favor of the motion.

Mr. Coutermarsh of Lebanon spoke against the motion.

Messrs. Goode of Manchester, Uhlenberg of Gilmanton, Goodhue of Gilford, Hill of Conway and Miss Cole of Nashua spoke in favor of the motion.

Messrs. Sheriden of Berlin, Spanos of Newport, Plourde of Pembroke, Healy of Manchester and Mrs. Schwaner of Plaistow spoke against the motion.

Mr. Maloomian of Somersworth moved the previous question and it was sufficiently seconded.

The motion was adopted.

Mr. O'Neil of Chesterfield demanded the Yeas and Nays.

The question being on the motion to postpone action on HB 47.

The Yeas and Nays were called as follows:

Yeas — 170

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Stearns, Shea of Keene, ward 2, Heald of Keene, Bennett of Keene, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Hackler, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Guest, Marx, Bailey, Downing, Hood, Merrifield.

GRAFTON COUNTY: Plumer, Grey, Goodfellow, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, McMeekin, Hampson, Adams, Lewis, Whipple, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Park, Smith of Plymouth, Barney, Bean, Berringer.

COOS COUNTY: Nash, Thayer, Sherman, Shute, Fogg, Arsenault, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Underwood, Eastman of Exeter, Wylie, Weeks, Casassa, Ring, Palmer of Kensington, Clark of Kingston, Shepard, McDonough, Carter, Palmer of Plaistow, McEachern, Stafford of Portsmouth, Chandler, White of Portsmouth, Frink, Legasse, Greene of Rye, Grant, Morrison, Barker, Herbert.

STRAFFORD COUNTY: Leighton, Grimes, Fellows, Colbath, Richardson, Tuttle, Bevan, Littlehale, Drew, Clark of Lee, Adams of Madbury, Moulton, Chase, Johnson of Rochester, Clement, Varney, Green of Rollinsford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Uhlenberg, Lacaille, Head, Prescott, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hill, Taylor of Effingham, Blake, Diffenderfer, Brown of Sandwich, Lamprey of Tuftonboro, Claffin.

MERRIMACK COUNTY: Fairbanks, Moore, Asby, Hutchinson, York, Upton, Henry, Dame of Concord, Hancock, Bingham, Smith of Concord, Anderson of Concord, MacDonald, Ferguson of Concord, Gove, Maxham, Newell of Concord,

Rufo, McKay, Stevens, Kelley of Franklin, Reddy, London, Bigelow, Thompson of Wilmont.

HILLSBROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggins, Hambleton, Martin of Goffstown, Davis of Greenfield, Pickering, Eaton, Brocklebank, Legallee, Warren, Ainley, Conover, Goode, Kimball of Manchester, Buker, Hazeltine, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Cooper, Underhill, Pappagianis, Todd, Garland, Peterson, Rice, Eastman of Weare, Heald of Wilton.

Nays — 197

CHESHIRE COUNTY: Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, ward 1, Pollock, Belletete, Pickett, Russell, Forbes, Bouvier, Abare, Ballam, Smith of Walpole.

SULLIVAN COUNTY: Gaffney, Angus, Barrows, D'Amante, Weber, Spanos.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Bowles, Morse, Larty, Beard, Coutermarsh, Demers, McGee, Brummer, Cushman, Anderson of Warren.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Bushey, Potter, Brooks, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Cummings, Watts, Gay, Kimball of Derry, Scott, White of Derry, Hackett, Collishaw, Wheeler, Spollett, Merrill, Sewall, Twardus, Cheney, Schwaner, Keefe, Murch, Sadler, Osborn, Cavalieri, Coussoule, Langford, Canty, Morrill, Stickney, Felch.

STRAFFORD COUNTY: Blanchette, Nelson, Hemon, Smith of Dover, Maglaras, Canney, Dawson, Rolfe, Hartigan, Marsan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Maloomian, Habel, Cormier, Hebert, Vincent, Bennett of Strafford.

BELKNAP COUNTY: Bolduc, Harkins, Normandin, Hayner, O'Shan.

CARROLL COUNTY: Hughes, Roberts, Blanchard, Chamberlain of Wolfeboro.

MERRIMACK COUNTY: Guilbeault, Phelps, LaFlamme, Sanders, Welch, Gilman, Charland, Dempsey, Doon, Lafond, Lam-

bert, Brown of Loudon, Thompson of Northfield, Plourde, Robinson.

HILLSBOROUGH COUNTY: Farwell, Whitney, Barnard, Bartlett, Bednar, Claveau, Gallagher, Provencal, Feldman, Lang, Pettigrew, Soucy, Geisel, Mahony of Manchester, ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Dupont, Healy, O'Conner, Lafrance, Martel, Tessier, Bernier, Champagne, Cote, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Gamache, Grady, Tremblay of Manchester, Vachon, Dionne of Nashua, ward 2, Thibault, Belcourt, Trombly of Nashua, Sullivan, Maynard, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Latour, Lavallee, Desmarais of Nashua, Dumais, Karnis, Peabody.

### Pairs

Mr. Campbell of Claremont voting Yes; paired with Mr. Nahil of Claremont voting No.

Mr. Shindledecker of Hampton voting Yes; paired with Mr. Willey of Campton voting No.

Mr. Remick of Tamworth voting Yes; paired with Mr. Nickerson of East Kingston voting No.

Mr. Fox of Wakefield voting Yes; paired with Mrs. Tarrant of Pittsfield voting No.

and the motion did not prevail.

The question now being, shall the House concur in the Senate amendments.

On a *viva voce* vote, the yeas appeared to have won.

Mr. Grimes of Dover demanded the Yeas and Nays but subsequently withdrew his request.

Mr. White of Atkinson demanded the Yeas and Nays and the roll was called as follows:

### Yeas — 215

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Cummings, Watts, Gay, Kimball of Derry, Scott, White of

Derry, Hackett, Collishaw, Wheeler, Spollett, Merrill, Sewall, Twardus, Cheney, Palmer of Plaistow, Schwaner, Keefe, Murch, Sadler, Osborn, Cavalieri, Coussoule, Frink, Legasse, Langford, Cauty, Morrill, Stickney, Felch.

STRAFFORD COUNTY: Blanchette, Nelson, Grimes, Hemon, Smith of Dover, Maglaras, Drew, Canney, Dawson, Rolfe, Hartigan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Maloomian, Habel, Cormier, Herbert, Vincent, Bennett of Strafford.

BELKNAP COUNTY: Bolduc, Uhlenberg, Lacaille, Harkins, Normandin, O'Shan, Stafford of Laconia, Howe.

CARROL COUNTY: Howard, Hughes, Roberts, Taylor of Effingham, Blanchard, Blake, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro.

MERRIMACK COUNTY: Guilbeault, LaFlamme, Welch, Gilman, Charland, Dempsey, Doon, Lafond, Lambert, Brown of Loudon, Thompson of Northfield, Plourde, Robinson.

HILLSBOROUGH COUNTY: Farwell, Whitney, Barnard, Eaton, Bednar, Claveau, Gallagher, Provencal, Feldman, Lang, Pettigrew, Sousy, Geisel, Goode, Mahony of Manchester, Ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, Ward 4, McDermott, Clancy of Manchester, Ward 5, Manning, Walsh, Casey, Clancy of Manchester, Ward 6, Doherty, Dupont, Healy, O'Conner, Lafrance, Martel, Tessier, Bernier, Champagne, Cote, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard, Lesmerises, Gauthier, Gamache, Grady, Tremblay of Manchester, Vachon, Cobleigh, Dionne of Nashua, Ward 2, Thibault, Belcourt, Trombly of Nashua, Sullivan, Maynard, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Latour, Lavallee, Desmarais of Nashua, Dumais, Karnis, Peabody.

CHESHIRE COUNTY: Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, Ward 1, Pollock, Belletete, Pickett, Russell, Forbes, Bouvier, Abare, Ballam, Smith of Walpole.

SULLIVAN COUNTY: Adams, Gaffney, Angus, Barrows, D'Amante, Weber, Spanos.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Bowles, Morse, Nettleton, Larty, Beard, Coutermarsh, Demers, McGee, Brummer, Allard of Littleton, Cushman, Anderson of Warren, Bean, Berringer.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Graham, Thayer, Bushey, Potter, Arsenault, Brooks.

Nays — 151

ROCKINGHAM COUNTY: Griffin, Underwood, Eastman of Exeter, Wylie, Weeks, Casassa, Ring, Palmer of Kensington, Clark of Kingston, Shepard, McDonough, Carter, McEachern, Stafford of Portsmouth, Chandler, White of Portsmouth, Greene of Rye, Grant, Morrison, Barker, Herbert.

STRAFFORD COUNTY: Leighton, Fellows, Colbath, Richardson, Tuttle, Bevan, Littlehale, Clark of Lee, Adams of Madbury, Moulton, Marsan, Chase, Johnson of Rochester, Clement, Varney, Green of Rollinsford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Head, Prescott, Varrell, Allan of Meredith, Urie, Joslyn.

CARROLL COUNTY: Hill, Diffenderfer, Claffin.

MERRIMACK COUNTY: Phelps, Fairbanks, Moore, Asby, Hutchinson, York, Henry, Dame of Concord, Hancock, Bingham, Smith of Concord, Andersen of Concord, MacDonald, Sanders, Ferguson of Concord, Gove, Maxham, Newell of Concord, Rufo, McKay, Stevens, Kelley of Franklin, Reddy, London, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Bartlett, Hambleton, Martin of Goffstown, Davis of Greenfield, Pickering, Brocklebank, Legallee, Warren, Ainley, Conover, Kimball of Manchester, Buker, Hazeltine, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cole, Cooper, Underhill, Pappagianis, Todd, Garland, Peterson, Rice, Eastman of Weare, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Stearns, Shea of Keene, Ward 2, Heald of Keene, Bennett of Keene, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Hackler, Wildey, Sawyer.



SULLIVAN COUNTY: Frizzell, Cann, Campbell, Guest, Marx, Bailey, Downing, Hood, Merrifield.

GRAFTON COUNTY: Plumer, Grey, Goodfellow, Hayward of Hanover, Johnson of Hanover, Low, McMeekin, Hampson, Adams, Lewis, Whipple, Kelley of Littleton, Martin of Littleton, Park, Smith of Plymouth, Barney.

COOS COUNTY: Nash, Sherman, Shute, Fogg, Stinson, Taylor of Whitefield.

and the motion to concur in the Senate amendments prevailed.

### Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it concurred in the Senate amendments on HB 47 and spoke against the motion.

The motion to reconsider was lost.

### Senate Messages

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 222, An act relative to reporting certain shortages of funds.

### Amendment to HB 222

Amend section 1 of the bill by striking out therein RSA 384:36 as inserted thereby and inserting in place thereof the following: 384:36 Report of Shortages to Bank Commissioner. Every shortage in funds of five hundred dollars or more in any banking or lending institution under the supervision of the bank commissioner, whether or not said shortage may arise from a criminal offense, shall, within two banking days following date of discovery, be reported in writing to the bank commissioner by the treasurer of the institution in or with respect to which any such shortage occurs, or in the absence of said officer by the officer performing his duties.

Mr. Bigelow of Warner moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Reddy of Hopkinton, Stevens of Epsom and Walsh of Manchester as conferees on the part of the House.

\* \* \*

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 240, An act relating to service exemptions.

### Amendment to HB 240

Amend the bill by striking out Section 2, and insert in place thereof the following: 2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

On motion of Mr. Gay of Derry the House concurred in the Senate amendment.

\* \* \*

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

### Concurrent Resolution

Petitioning congress of the United States to reject and defeat a proposal to amend the internal revenue code by abolishing the capital gains treatment of forest products.

*Whereas* it is proposed to amend the internal revenue code of the United States in a manner which virtually eliminates the capital gains treatment of receipts from harvesting of forest products, and

*Whereas* the effect of such amendment would be to discourage the owners of forest lands from holding their lands without cutting until the forest crop has reached its full maturity, and is in conflict with the entire concept of timber as a natural renewable capital asset or crop, and

*Whereas* the forests of New Hampshire cover 84% of the State's entire land area, and are of priceless value in that they:

- 1) Provide a means of livelihood for one-fifth of all persons employed in manufacturing in New Hampshire, and an annual payroll of \$52,000,000;
- 2) Provide invaluable protection for the watersheds of our brooks, rivers and streams, and their continued flow of pure waters;
- 3) Provide cover and protection for the State's wildlife, its fish, birds and game;
- 4) Provide a natural playground for millions of our fellow Americans who reside and must work in the metropolitan areas of the Eastern United States, and who travel to this State for rest and recreation, *Now, Therefore:*

*Be it resolved by the Senate the House of Representatives concurring:*

That the legislature of the State of New Hampshire petitions the congress of the United States to defeat and reject said proposed changes in the taxation of timber, and thereby lend its continued support to the encouragement of the growth of this valuable natural resource of the United States, and

That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the congressional delegation of the State of New Hampshire.

\* \* \*

The concurrent resolution was referred to Resources, Recreation and Development.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendment to the following joint resolution:

SJR 8, Senate Joint Resolution in favor of Philip E. Johnson.

\* \* \*

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 58, An act relative to minimum treatment of standards for sewage and industrial wastes.

HB 445, An act relative to Lancaster-Whitefield cooperative school district.

\* \* \*

### Resolutions

Messrs. Habel and Cormier offered the following resolutions for the Somersworth Delegation:

*Whereas*, Leon J. Littlefield of Somersworth has passed away, and

*Whereas*, He was serving his third term as Representative from Somersworth, was a member of the City Council for several terms, and was a Veteran of World War 1, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to his services to his city, state and country, and extend our deepest sympathy to his family in its bereavement and be it further

*Resolved*, That the Speaker of the House appoint a delegation to attend the funeral and that a floral tribute be procured, and be it further

*Resolved*, That a copy of these Resolutions be sent to the widow, Mrs. Littlefield.

On a rising vote of silent prayer the resolutions were unanimously adopted.

The Chair appointed the following members to attend the funeral:

The Somersworth Delegation:	Napoleon A. Habel
	Clovis J. Cormier
	Sarkis N. Maloomain
	Roland Hebert
	Arthur J. Vincent

Representing Stafford County:

Arnold T. Clement, Chairman  
Angeline M. St. Pierre, Clerk

\* \* \*

The Chair announced that today is the birthday of Mrs. Grey of Canaan.

The Chair also announced that today is the 45th wedding anniversary of Mr. and Mrs. George White of Alkinson.

The Chair also announced that Sunday, April 21st, is the 50th wedding anniversary of Mr. and Mrs. Arthur Vincent of Somersworth.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence:

SB 16, relative to sales of liquor and beverages by restaurants.

Mr. Angus of Claremont, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 16 and spoke against the motion.

The motion did not prevail.

#### **Third Readings (cont.)**

HB 121, relative to the construction of physical education facilities at the University of New Hampshire.

HJR 26, in favor of Albert E. Jones and Theresa Jones.

HJR 27, in favor of Arthur Webster and Helen Webster.

HJR 28, in favor of Chanel L. Lavoie.

HB 164, providing for recompilation of volume 2 of the Revised Statutes Annotated.

HB 236, relative to investments of credit unions.

HB 313, relative to the bank advisory board.

HB 273, relating to investments of savings banks.

HB 497, relative to the restoration to service under the teachers' retirement system.

HB 493, relative to compensation of the special justice for Portsmouth municipal court.

\* \* \*

On motion of Mrs. Fogg of Milan the House adjourned at 2:43 P.M.

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TUESDAY, APRIL 23, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O Father of Holy Love and Infinite Wisdom, comfort all Thy children afflicted and distressed under the rod of oppression. Out of the chaos of conflicting ideologies that would lead us to destruction, let Thy guiding light shine forth to illuminate our way, and advance the cause of freedom and peace. Inspire us with truth and faith to meet each and every challenge with all honesty. Endow us with courage and vision to lead our people through the gloomy valleys to the glorious mountaintop of joy. Grant Thy continued blessing upon our Governor, his Council, and the members of this Joint Convention. Confirm us in Thy love as we serve our "Granite State", seeking at all times to offer our best in Thy Name. Amen.

### Pledge of Allegiance to the Flag

Mr. Fox of Wakefield led the Convention in the Pledge of Allegiance to the Flag.

### **Introduction of a Special Guest**

The Chair introduced Dr. Enrique Llaca, Jr., co-founder of the Cuban Exiles Organization who was sponsored by the New Hampshire Young Americans for Freedom. Dr. Llaca addressed the Convention on the Cuban situation.

On motion of Senator Hodgdon from the 4th District the Convention rose.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

Group of American Government class of Central High School of Manchester, courtesy of the Manchester Delegation.

A group of Girl Scouts from St. Edmunds Parish, Manchester, courtesy of the Manchester Delegation.

The senior class of Manchester Central High School, courtesy of the Manchester Delegation.

A group of boys from the Portsmouth Junior High School, courtesy of Mrs. White of Portsmouth.

Troop 1 Girl Scouts from Derry, courtesy of the Derry Delegation.

Troop 198 Cub Scouts from Wakefield, courtesy of Mr. Fox of Wakefield.

Catholic Youth Organization from St. Joseph School in Nashua, courtesy of the Nashua Delegation.

Group of Boys from Keene High School, boys are Star Scouts going for Life Rank, courtesy of Mr. Shea of Keene.

#### **Leaves of Absence**

Messrs. Hambleton of Goffstown, Thayer of Jefferson and Purington of Exeter were given indefinite leaves of absence on account of illness.

Mr. Soucy of Manchester was granted leave of absence for the day on account of important business.

Mrs. Moulton of New Durham was granted leave of absence for the week on account of illness in the family.

Mr. Boutin of Benton was granted leave of absence for the week on account of important business.

Mr. Goodfellow of Dorchester was granted leave of absence for two weeks on account of important business.

Mr. Peaslee of Concord was granted leave of absence for two weeks on account of illness.

\* \* \*

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard. (Sadler and Cavalieri of Portsmouth) to Fish and Game.

HB 540, providing for a board of regents for the state educational system. (Pappagianis of Nashua) to Education.

HB 541, relative to compromise settlement of an infant's claim. (Rules Committee — Upton of Concord and Kimball of Manchester) to Judiciary.

HB 542, relative to settlements in behalf of minors. (Rules Committee — Upton of Concord and Kimball of Manchester) to Judiciary.

HB 543, relative to submission to voters of Littleton of question on adoption of act providing for Littleton Parking District. (Kelley of Littleton) to Municipal and County Government.

\* \* \*

The Honorable Secretary of State, Robert L. Stark, appeared before the House and delivered the following message from Governor John W. King.

### **Governor's Message**

Mr. Speaker and Honorable Members of the House of Representatives.



I return herewith, without my signature, House Bill No. 33, An Act relating to the date of the Primary Election.

I do so for several reasons.

First, to allow this legislation to become law would restrict the seeking of high public office in New Hampshire to only the wealthy and hence would be a threat to the democratic process.

We have had primary elections in this state in the month of September since the year 1909. This legislation would advance those primary elections to the month of June. Customarily, candidates for high public office announce their intention 6 months in advance of the primary. Consequently, under the proposed legislation a candidate would be announcing about January 1st if not earlier. To sustain a candidacy from January until the elections in November would require a tremendous amount of money and hence would discourage candidates of limited means.

Before the advent of radio and television it was much more difficult for a candidate to get his message to the voter — and yet in those days it was felt that a September Primary provided enough time for the nominees to campaign for the November elections. Today with our wonderful media of mass communication we certainly do not need more time.

Furthermore, the very devices which now make it possible for candidates to reach tens of thousands of voters in one day, also make it imperative that we do not prolong the campaign unnecessarily. TV, radio, and mass media advertising impose costs on campaigning far greater than those encountered 25 or 30 years ago. The longer the campaign, the greater the costs, and the greater the costs, the easier it is for those with substantial means to dominate our election process.

I am sure that the people of New Hampshire want the path to high office kept open to all and not just the wealthy.

One of the most persistent problems in government today is the cost of campaigning for public office. I feel we should be seeking means to minimize the problem rather than aggravating it.

We must also bear in mind the effect of this legislation on the voting public.

If this bill were to become law, it would mean almost a year of electioneering from the time that candidates announce their intentions until the November Elections. For the average voter it would be tedious, tiresome and boring. He would be subjected to politics "ad nauseam" and hence become apathetic.

The net effect would be fewer voters at the polls.

There is no public demand for this legislation. My office which is subjected to a constant bombardment of demands for every conceivable type of legislation, has not received a single letter or postcard asking for this proposed change in our primary. On the contrary, there is every indication that our present law which has stood the test of time for over 50 years is a good law.

June in New Hampshire has been traditionally reserved for brides, roses and the finest fly fishing in the country, and the sound of the politician is not heard in the land. Let us ever preserve in thus.

John W. King  
Governor

The question now being shall HB 33 pass, notwithstanding the Governor's Veto.

Messrs. Taft of Greenville, Peterson of Peterborough and Mahoney of Manchester spoke in favor of passage of HB 33.

Mr. Pappagianis of Nashua spoke against passage of the bill.

The roll having been called as follows:

Yeas — 187

ROCKINGHAM COUNTY: Griffin, Underwood, Cummings, Watts, Gay, Scott, Nickerson, Collishaw, Eastman of Exeter, Wheeler, Wylie, Weeks, Casassa, Ring, Shindledecker, Clark of Kingston, Shepard, McDonough, Carter, Murch, Stafford of Portsmouth, Dame, Osborn, Chandler, White of Portsmouth, Frink, Legasse, Langford, Green of Rye, Young, Canty, Grant, Morrill, Morrison, Peever, Stickney, Barker, Herbert.

STRAFFORD COUNTY: Berry, Fellows, Smith of Dover, Colbath, Richardson, Tuttle, Drew, Canney, Clark of Lee, Adams of Madbury, Dawson, Rolfe, Marsan, Chase, Johnson of Roch-

ester, Clement, Varney, Green of Rollinsford, Bennett of Strafford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Uhlenberg, Lacaillade, McCarthy, Head, Prescott, Hayner, O'Shan, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Roberts, Taylor of Effingham, Blake, Diffenderfer, Brown of Sandwich, Lamprey of Tuftonboro, Fox, Claflin.

MERRIMACK COUNTY: Moore, Asby, Hutchinson, Dame of Concord, Hancock, Bingham, Smith of Concord, Andersen of Concord, MacDonald, Ferguson of Concord, Gove, Newell of Concord, Kelley of Franklin, Reddy, London, Thompson of Northfield, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Martin of Goffstown, Taft, Pickering, Eaton, Brocklebank, Legallee, Warren, Ainley, Feldman, Lang, Pettigrew, Goode, Kimball of Manchester, Mahony of Manchester, Ward 2, Cobleigh, Cooper, Buker, Carter of Milford, Ferguson of Milford, Hayward of Milford, Todd, Karnis, Peterson, Rice, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Stearns, Pollock, Shea of Keene, ward 2, Heald of Keene, Bennett of Keene, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Angus, Campbell, Guest, Weber, Marx, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Plumer, Grey, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, McMeekin, Hampson, Adams, Beard, Lewis, Whipple, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Park, Smith of Plymouth, Berringer.

COOS COUNTY: Marsh, Nash, Sherman, Shute, Fogg, Potter, Brooks.

Nays — 185

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Kimball of Derry, White of Derry, Spollett, Merrill, Palmer of Kensington, Sewall, Twardus, Cheney, Palmer of Plaistow,

Schwaner, Keefe, McEachern, Sadler, Cavalieri, Coussoule, Felch.

STRAFFORD COUNTY: Blanchette, Leighton, Nelson, Grimes, Hemon, Maglaras, Bevan, Crouch, Littlehale, Hartigan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Habel, Cormier, Hebert, Vincent.

BELKNAP COUNTY: Bolduc, Harkins, Normandin.

CARROLL COUNTY: Blanchard, Remick, Chamberlain of Wolfeboro.

MERRIMACK COUNTY: Guilbeault, Phelps, Fairbanks, La-Flamme, York, Upton, Henry, Sanders, Maxham, Welch, Rufo, McKay, Gilman, Charland, Dempsey, Doon, Lafond, Lambert, Brown of Loudon, Plourde, Robinson.

HILLSBOROUGH COUNTY: Farwell, Whitney, Barnard, Bartlett, Bednar, Claveau, Gallagher, Provencal, Conover, Geisel, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Dupont, Healy, O'Conner, Lafrance, Leclerc, Martel, Tessier, Bernier, Champagne, Cote, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Gamache, Grady, Tremblay of Manchester, Vachon, Cole, Dionne of Nashua, ward 2, Thibault, Belcourt, Tromblay of Nashua, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Latour, Lavallee, Sablusi, Desmarais of Nashua, Dumais, Garland, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, ward 1, Belletete, Pickett, Russell, Forbes, Bouvier, Hackler, Abare, Ballam.

SULLIVAN COUNTY: Cann, Gaffney, Barrows, D'Amante, Bailey, Downing, Spanos.

GRAFTON COUNTY: Willey, Bowles, Morse, Coutermarsh, Demers, McGee, Brummer, Cushman, Barney, Anderson of Warren.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Dumont of Berlin, Vashaw, Bouchard, Fontaine,

Gagnon, Graham, Bushey, Arsenault, Stinson, Taylor of Whitefield.

The necessary two-thirds majority not having been voted, the Governor's veto was sustained and the bill was killed.

### **Recess**

### **After Recess**

### **Committee Reports**

HJR 22, in favor of Fred Reed and Esther Reed, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### **Amendment to HJR 22**

Amend the joint resolution by striking out the words "seventeen hundred and fifty" in the first line and inserting in place thereof the words, eight hundred; further amend by inserting after the word "highways" in the seventh line the words, the payment of this sum is in full and final settlement of said claim, so that said joint resolution as amended shall read as follows:

That the sum of eight hundred dollars is hereby appropriated to reimburse Fred Reed and Esther Reed of Allenstown for the cost of a garage, driveway and culvert pipes, which expense was caused by the revocation of two driveway permits issued in error by the department of public works and highways. The payment of this sum is in full and final settlement of said claim. The appropriation made hereunder shall be a charge on the highway funds.

\* \* \*

The amendment was adopted and the resolution was ordered to a third reading.

HJR 23, in favor of Roland LaPerle, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### **Amendment to HJR 23**

Amend the joint resolution by striking out the words "five hundred" in the first line and inserting in place thereof

the words, two hundred and fifty, so that said joint resolution as amended shall read as follows:

That the sum of two hundred and fifty dollars is hereby appropriated to reimburse Roland LaPerle for damages to a water pipe sustained following the construction by the state of a storm sewer in the town of Stewartstown. The payment of this sum is in full and final settlement of any and all claims arising out of said storm sewer construction. The appropriation hereunder shall be a charge upon the highway fund.

\* \* \*

The amendment was adopted and the resolution was ordered to a third reading.

HB 389, relative to the practice of architecture, Mr. Lamprey of Tuftonborough for Executive Departments and Administration. Ought to pass with amendment.

#### **Amendment to HB 389**

Amend section 6 of said bill by striking out the same and inserting in place thereof the following:

6 Applicants. Amend RSA 310:12 by striking out said section and inserting in place thereof the following: 310:12 Preliminary Requirements for Registration. The following preliminary requirements shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for registration to practice architecture in this state, to wit: (a) applicant shall have graduated with a degree from a school or college of architecture approved by the board as of satisfactory standing and three years of practical experience satisfactory to the board in the office of an experienced architect or architects, or (b) in lieu of (a) the applicant shall have eight years of diversified practical experience in the office of an experienced architect or architects, or (c) in lieu of (a) or (b) the applicant shall have training which, in the opinion of the board, is fully equivalent to the requirements of either (a) or (b). Upon complying with these preliminary requirements the applicant shall, in order to become registered, pass written examinations as provided in section 21 and except as otherwise provided in section 17.

Further amend said bill by striking out section 7 and re-numbering sections 8 to 15, inclusive, to read sections 7 to 14.

\* \* \*

The amendment was adopted.

Mr. Stafford of Laconia offered the following amendment and moved its adoption.

### **Amendment to HB 389**

Amend section 1 by striking out said section and inserting in place thereof the following:

1 Registration of Architects. Amend paragraph I of RSA 310:1 by striking out the words "as a registered architect" where they occur in the eighth, tenth and eleventh lines, so that said paragraph as amended shall read as follows: I. The terms "architect" and registered architect" shall be deemed to be identical in meaning and shall mean a person who, by reason of having acquired through professional education and practical experience an advanced training in building construction and architectural design and an extensive knowledge of building standards created to safeguard the public from the hazards of fire, panic, structural failure, and unsanitary conditions, is technically and legally qualified to practice architecture as hereinafter defined, and who is registered by the board or otherwise authorized by this chapter to engage in the practice of architecture.

\* \* \*

The Clerk read the amendment in full.

Mr. Stafford explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 276, relative to the sale of certain animals and birds, Mr. Vashaw of Berlin for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 278, relative to the definition of resident under the fish and game laws, Mr. Drew of Farmington for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 172, relating to costs in cases against state officials, Mr. Healy of Manchester for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 379, relative to rights of owner on land which has been posted against hunting, Mr. Wildey of Westmoreland for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 402, relating to posting lands against trespass, Mr. Wildey of Westmoreland for Judiciary. Inexpedient to legislate.

Mr. Rice of Peterborough moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Messrs. Totman of Alstead and Wildey of Westmoreland spoke against the motion.

Mr. Hill of Conway spoke in favor of the motion.

(discussion ensued)

On a voice vote the Chair was in doubt and requested a division vote.

143 members having voted in the affirmative and 132 in the negative the motion to substitute the words, Ought to pass, prevailed and the bill was ordered to a third reading.

HB 458, relative to hunting on private lands, Mr. Wildey of Westmoreland for Judiciary. Inexpedient to legislate.

The resolution was adopted.

SB 39, relative to fees for recording and discharging liens for internal revenue taxes, Mr. Johnson of Hanover for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 229, relative to the personnel advisory board of the city of Portsmouth, Mrs. White of Portsmouth for the Portsmouth Delegation. Ought to pass with amendment.



**Amendment to HB 229**

Amend section 1 of the bill by striking out all after the word "oaths" in the sixty eighth line, so that said section as amended shall read as follows:

1 City of Portsmouth. Amend section 49 of chapter 398 of the Laws of 1947 by striking out said section and inserting in place thereof the following: 49. Personnel Advisory Board. There is hereby established a Personnel Advisory Board of three citizens holding no other political office and appointed one member by the manager, one member by the council in accordance with its rules covering such matters, and the third member by the council from a list of three names submitted to it from employees from a secret ballot regularly conducted in which all qualified employees shall be entitled to compete and in which each participating employee shall write on a blank paper the name of his choice for membership on the advisory board. The ballots so cast shall be counted and the names of the persons receiving the three highest votes shall be submitted to the council from which it shall appoint one qualified person as the third member of the advisory board. In the first instance only, the member appointed by the manager shall serve for one year, the first member appointed by the council from an employees panel for three years, in each case beginning on the effective date of this amendment to the charter; the term of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration of the merit plan and retirement system. Any permanent employee dismissed or demoted, or suspended for more than thirty days in any one year, may, within thirty days after such dismissal, demotion or suspension, appeal to the personnel advisory board for a review thereof. Upon such review, both the appealing employee and the city manager whose action is reviewed shall have the right to be heard publicly and present evidentiary facts. At the hearing of such appeals, technical rules of evidence shall not apply. If the personnel advisory board finds that the action complained of was taken by the city manager for any political, religious or racial reason, the employee shall be reinstated to his former position or a position of like status and pay, without loss of pay for the period of his suspension. In all other cases, the findings and recommendations of the personnel advisory board shall be

submitted to the city manager who may, not later than thirty days after receipt of such finding and recommendations, reinstate the employee with or without pay for the period of suspension, or otherwise modify his original decision of suspension, demotion or discharge. When any employee is dismissed and not reinstated after such appeal by the city manager, in spite of a recommendation by the personnel advisory board that such reinstatement be made, the employee may within ten days after the action of the city manager appeal to the mayor and city council or a committee of the city council to be appointed by the mayor and council, who may make such further recommendations after due investigation as they deem fit. If the city council or the committee of the city council feel that the findings and recommendations of the advisory board should be sustained they may direct the city manager to reinstate the employee. The personnel advisory board shall elect a chairman. The chairman shall have the power to administer oaths.

\* \* \*

Mr. Keefe of Portsmouth spoke against the amendment.

Mr. Osborne of Portsmouth spoke in favor of the amendment.

(Mr. Peterson of Peterborough in the Chair)

Mrs. White and Mr. Murch of Portsmouth spoke in favor of the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 413, relative to emergency lights on motor vehicles and penalty for vehicle overload, Mr. Claffin of Wolfeboro for Transportation. Ought to pass with amendment.

### Amendment to HB 413

Amend said bill by striking out section 2 and renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

Mr. Tuttle of Dover moved that the Rules of the House be so far suspended as to permit the introduction of a commit-

tee report not previously advertised in the Journal for two days and spoke in favor of the motion.

The motion was adopted.

HB 496, legalizing the proceedings at the annual town meeting in Farmington, Mr. Tuttle of Dover for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 496**

Amend the title of the bill by inserting after the word "meeting" the words, and the annual precinct meeting, so that said title as amended shall read as follows:

An Act legalizing the proceedings at the annual town meeting and annual precinct meeting in Farmington.

Amend the bill by inserting after section 1 the following new section: 2 Proceedings Legalized. The votes and proceedings at the annual precinct meeting of the town of Farmington, held on the 10th day of April, 1963, are hereby legalized, ratified and confirmed.

Further amend the bill by renumbering section 2 to read section 3.

\* \* \*

On motion of Mr. Pickett, of Keene, reading of the amendment was dispensed with.

The amendment was adopted and the bill was ordered to a third reading.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 47, An act relating to the conduct of sweepstake races and the sale of tickets thereon.

HB 58, An act relative to minimum treatment standards for sewage and industrial wastes.

HB 134, An act relative to enforcement of classification of surface waters.

HB 240, An act relating to service exemption.

HB 445, An act relative to the Lancaster-Whitefield co-operative school district.

SJR 3, Joint resolution in favor of Philip E. Johnson.

Mrs. Potter of Northumberland

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 129, relative to the sale of liquor and beverages in first class hotels.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendment to the following bill:

SB 16, relative to sales of liquor and beverages by restaurants.

### Personal Privilege

Mr. Kimball of Manchester rose on a point of personal privilege.

Mr. Kimball requested that his remarks be inserted in the Journal.

The Chair hearing no objection so ordered.

(Excerpt from an article by Leo Rosten, Look Magazine, Jan. 15, 1963, copyright 1962 by Cowles Magazines and Broadcasting, Inc.)

1. Political power is power over others, and power over others must always be watched, guarded, circumscribed.
2. No man, no group, no sect, no party ever has a monopoly on truth, virtue and competence.
3. This means that no man, no group, no party is wise enough and good enough and sane enough to be entrusted with too much power. For good men are often silly and competent men are often wicked, and even the combination of virtue and ability in no way guarantees judgment or reason or sanity. Good intentions do not

necessarily lead to good results; purity of heart is not always liked to political skill or emotional balance. Human history is studded with tragedy precisely because too often have "sincere" and passionate men seized the power (or bamboozled others into letting them exercise it) to do what they happen to think best.

4. Those we like may be wrong; those we hate may be right. The only way to find out what is best, for whom, is to let the ideas and the theories, however disturbing, roll out in uninterrupted contest. The right to talk creates the duty to listen.
5. Freedom dies under dogma. In a free society, no person or group or policy can be permitted to exist beyond scrutiny, criticism, even ridicule. When dogma gains enough power to punish those who oppose it, it becomes fanaticism. When dogma is invested with enough power to suppress opposition, it becomes tyranny. And when men are afraid to say what they think — however cockeyed or unpopular it may be — freedom has been violated, for it has been corrupted by fear.
6. The only thing worse than a too powerful minority is a too powerful majority — including the government itself.
7. Every man has a right to opportunity, to respect, to fair treatment under law. Justice is a right, not a favor. No man shall be penalized for his parentage or his pigmentation or his faith.
8. No man, however disagreeable or dangerous, shall be denied an open trial, on specific charges. No man shall be judged by the same people who accuse him. Every man has the right to confront those who accuse him and try to prove them liars.
9. It is up to the authorities to prove a man guilty; it is not up to a man to prove himself innocent.
10. The true and final purpose of government is so to arrange life that each man can do what he damned pleases — so long as it does not harm or menace others.

This decalogue of freedom rests, of course, on the conviction that government must protect men from each other's

stupidity, greed and passions. I know of nothing in nature more immense than man's stupidity, more nauseating than his greed, or more terrifying than his irrationality.

Winston Churchill once remarked that democracy is the worst possible system of government, but has one paramount virtue: It happens to be better than any other system men have been able to devise. The rabble-rousers always claim to know a better, quicker, more "efficient" way of dealing with our problems. Well, a prison is about as efficient an institution as man has invented — but who wants to live in it?

\* \* \*

Mr. Maloomian of Somersworth rose on a point of personal privilege.

### Reconsideration

Mr. McDonald of Concord withdrew his notice of reconsideration on HB 311, relative to licensed practical nurses.

\* \* \*

Mrs. Legasse of Portsmouth wished to be recorded as voting No on HB 47 (Sweepstake).

The Chair announced that owing to a printer's error, the name of Mrs. Cooper of Nashua who voted yes on the question of the referral of HB 47 (Sweepstake) to the Supreme Court, was omitted from the Journal of Thursday, April 18th, page 17. The Chair also stated that this omission would be corrected in the permanent Journal.

### Personal Privilege

Mr. Pickett of Keene rose on a point of personal privilege.

\* \* \*

On motion of Mr. Pickett of Keene, the rules of the House were so far suspended as to permit business in order for 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

**Afternoon Session****Third Readings**

SB 39, relative to fees for recording and discharging liens for internal revenue taxes, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence:

HJR 22, in favor of Fred Reed and Esther Reed.

HJR 23, in favor of Roland LaPerle.

HB 389, relative to the practice of architecture.

HB 276, relative to the sale of certain animals and birds.

HB 402, relating to posting lands against trespass.

HB 229, relative to the personnel advisory board of the city of Portsmouth.

HB 413, relative to emergency lights on motor vehicles and penalty for vehicle overload.

HB 496, legalizing proceedings at the annual town meeting and annual precinct meeting in Farmington.

**Reconsideration**

Mr. Hill of Conway, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 402, relating to posting lands against trespass, and spoke against the motion.

Mr. Pickett of Keene spoke against the motion.

Mr. Hill of Conway withdrew his motion to reconsider HB 402.

Mr. Pickett of Keene moved that HB 402 be made a Special Order for 11:01 on Thursday next and subsequently withdrew his motion.

Mr. Pickett of Keene demanded a quorum count and subsequently withdrew his demand.

Mr. Pickett of Keene, having voted with the majority, served notice that he would ask the House to reconsider its vote whereby it passed HB 402.

\* \* \*

The Chair announced that Monday was the birthday of Mr. Uhlenberg of Gilmanton.

\* \* \*

On motion of Mr. Ferguson of Concord the House adjourned at 2:52 P.M.

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WEDNESDAY, APRIL 24, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Gracious and Loving Father, into Thy merciful care we commit our lives as instruments of service. Forgive us for our moments of weakness and indecision when confronted by the serious challenges set before us. Strengthen our wisdom and vision, endow us with courage to act with honesty of purpose as we endeavor to seek Thy will. Let truth be our shield and defense against the corrosive evils that would destroy our democracy and keep us from the fulfillment of our American "dream" of lasting peace and eternal prosperity. Teach us to be realistic in our approach to the problems of governing our people as we strive to attain the ideals of Thy promised Kingdom. May Thy merciful love continually sustain us, confirm us, and deliver us into Thy presence. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Cormier of Somersworth led the Convention in the Pledge of Allegiance to the Flag.



## **House**

### **Introduction of Guests**

The Chair introduced a group of students from St. Patrick's School in Manchester, courtesy of the Manchester Delegation.

The Chair also introduced a group of 7th grade students from the Somersworth School, courtesy of the Somersworth Delegation.

### **Leaves of Absence**

Messrs. Gamache of Manchester and Pratt of Keene were granted leave of absence for the day on account of important business.

Mr. Buker of Merrimack was granted leave of absence for an indefinite period on account of important business.

Mr. Dumont of Rochester was granted leave of absence for today and Thursday on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 544, relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions. (Pappagianis of Nashua) to Executive Departments and Administration.

### **Committee Reports**

HB 292, relative to possession of big game animals taken outside the state, Mr. Merrill of Hampton Falls for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 315, relative to marking fishing holes cut in ice on Great Bay, Mr. Drew of Farmington for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 355, requiring reports for games of beano, Mr. Bingham of Concord for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 449, relative to on-sale permits for alcoholic beverages, Mr. Vachon of Manchester for Liquor Laws. Ought to pass with amendment.

### **Amendment to HB 449**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Alcoholic Beverages. Amend RSA 181:4 by striking out in line 8 thereof the words "or clubs;" and by inserting in line 8 after the word "guests" the following, in the case of clubs at tables or over bars, so that said section as amended shall read as follows: 181:4 On-Sale Permits. On-sale permits shall be issued only for restaurants, hotels, or clubs. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit; in the case of restaurants, at public tables upon the premises designated in the permit, but only in a room used primarily for the serving and consumption of food, or, when so authorized by the commission, to assemblages of more than six patrons in a private room or at a private table; in the case of hotels, at tables or in rooms of guests; in the case of clubs, at tables or over bars. No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months during the calendar year prior to the application for such permit; provided, however, that the commission may, in its discretion, issue a permit to a seasonal restaurant or club which has been established and doing business for at least two months during the calendar year preceding the application. It shall be within the discretion of the commission to issue to a permittee a special permit to sell beverages.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 299, relating to municipal budgets, Mr. Stafford of Portsmouth for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 345, prescribing the time within which certain articles for the warrant are to be presented, Mr. Tuttle of Dover for Municipal and County Government. Ought to pass with amendment.

#### **Amendment to HB 345**

Amend section 1 of the bill by striking out the words "in any town which has adopted the municipal budget act" in the fourth and fifth lines and by inserting after the word "article" the words, to be; further amend by striking out the words "which calls for the expenditure of money" in the seventh line; and by striking out the word "forty" in the ninth line and inserting in place thereof the word, thirty-five, so that said section as amended shall read as follows: 1 Town Warrant. Amend RSA 39 by inserting after section 3 the following new section: 39:3-a Time for Presentation of Articles. Notwithstanding any provision of section 3, any article to be presented by petition, for inserting in the warrant, shall be presented to the selectmen or one of them at least thirty-five days before the day prescribed for an annual or biennial meeting.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 369, relative to assistance for families and businesses displaced by highway construction or reconstruction projects, Mr. Remick of Tamworth for Public Works. Ought to pass with amendment.

#### **Amendment to HB 369**

Amend section 1 of the bill by striking out the whole of said section and inserting in place thereof the following:

1 Relocation Assistance. Amend RSA 233 by adding after section 26 the following new subdivision:

##### **Relocation Assistance**

233:27 Relocation Payments. Subject to the approval of the governor and council, the commissioner of public works and highways is authorized and empowered, within the limits of available funds and appropriations therefor, to make relocation payments to eligible persons for their moving expenses caused by their displacement from real property acquired for

federal aid and state highway projects to be constructed in this state.

233:28 Amount of Assistance. (a) Relocation payments shall be made in accordance with the provisions of this act and pursuant to such rules and regulations as shall be prescribed by the commissioner of public works and highways.

(b) The amount of relocation payments shall be established by the commissioner of public works and highways and shall not exceed two hundred dollars in the case of an individual or a family, nor three thousand dollars in the case of a business concern (including the operation of a farm), or nonprofit organization.

(c) In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subdivision shall not exceed the cost of moving up to fifty miles from the point from which such business or organization is being displaced.

(d) The rules and regulations of the commissioner of public works and highways may include provisions authorizing payments to individuals and families of fixed amounts (not to exceed two hundred dollars in any case) in lieu of their respective reasonable and necessary moving expenses.

233:29 Term Defined. As used in this subdivision, the term "eligible person" shall mean such individuals, families, business concerns (including the operation of a farm), and nonprofit organizations, as have occupied, either as the owner or as a tenant, the real property acquired or to be acquired for a federal-aid highway project in this state for at least sixty days prior to the date the commissioner of public works and highways gives written notice to the owner of record that said property is to be acquired for a federal aid highway project; and provided that the commissioner of public works and highways finds that said person, family, business concern (including the operation of a farm) or nonprofit organization is within the class of persons intended to be eligible to receive assistance for displaced families and businesses under the "Federal Aid Highway Act of 1962."

233:30 Application. This subdivision shall apply only with respect to federal aid and state highway projects for which

the real property was acquired after the date of enactment hereof.

\* \* \*

At the request of Mr. Newell of Concord, Mr. Taft of Greenville explained the amendment.

(discussion ensued)

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 395, directing the improvement of highways in certain towns, Mr. Nickerson of East Kingston for Public Works. Inexpedient to legislate.

Mr. Morrill of Salem moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Peever of Salem moved that HB 395 be laid on the table.

The motion to lay on the table was lost.

Mr. Stickney of Salem spoke in favor of the motion to substitute.

Messrs. Peabody of Pelham and Herbert of Windham spoke in favor of the motion.

Mr. Taft of Greenville spoke against the motion.

The motion to substitute was lost and the resolution of the committee was adopted.

HB 391, relative to motor vehicle operation and registration, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

### **Amendment to HB 391**

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Notice to Operator. Amend RSA 261:12 by striking out the word "shall" in the fifth line and inserting in place thereof the word, may, so that said section as amended shall read as follows: 261:12 Expiration. All licenses shall expire on the second anniversary of the license holder's date of birth follow-

ing the date of issuance. The anniversary of the date of birth of any license holder born on February 29, shall, for the purpose of this section during the years when there is no February 29, expire on March first. The commission may forward to each holder of a license, a renewal application to the holder's last known address, thirty days prior to expiration date.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 456, relative to weights and lengths of certain vehicles, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

### Amendment to HB 456

Amend said bill by inserting after section 2 of the following new section:

3 Four or More Axles. Amend paragraph VIII of RSA 263:61 (supp) as amended by 1955, 230:1 and 310:2, by inserting after the word "four" in the first line of said paragraph the words, or more, so that said paragraph as amended shall read as follows: VIII. A combination of vehicle and semi-trailer equipped with four or more axles and having gross weight more than those set forth in the following table:

Distance between extreme axles in feet	Maximum gross weight in pounds
28	48,300
29	49,300
30	50,400
31	51,500
32	52,800
33	54,300
34	56,000
35	58,000
36	60,000
37	62,000
38	64,400
39	66,400

Amend section 3 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section shall read:

3 Takes Effect. This act shall take effect upon its passage.

Further amend the bill by renumbering section 3 to read section 4.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 452, for a sales and use tax law, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 455, relating to tobacco tax license fees, Mrs. Palmer of Plaistow for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 462, repealing certain taxes and providing for additional revenue of the state, including a retail sales tax, Mr. Larty of Haverhill for Ways and Means. Inexpedient to legislate.

Messrs. Bevan of Durham and Hancock of Concord, a minority of the committee on Ways and Means. Ought to pass.

Mr. Ferguson of Concord moved that the report of the minority, Ought to pass, be substituted for the majority report, Inexpedient to legislate, and spoke in favor of the motion.

(Mr. O'Neil of Chesterfield in the Chair)

Mr. Bevan of Durham spoke in favor of the motion.

Mrs. Clark of Lee spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

The motion was not adopted.

The question now being on the majority report that HB 462 is Inexpedient to legislate.

The resolution was adopted.

Concurrent Resolution memorializing Congress in the passage of S. 887 and HR 4018, establishing the Saint Gaudens Memorial as a National Historical site, Mrs. Hampson of Hebron for Resources, Recreation and Development. Concurrent Resolution be adopted.

\* \* \*

**Concurrent Resolution**

memorializing Congress in the passage of S. 887 and H.R. 4018, establishing the Saint Gaudens Memorial as a National Historical site.

*Whereas*, Senate Bill 887 has been introduced into the United States Senate by co-sponsors, Senator Norris Cotton and Senator Thomas J. McIntyre, of New Hampshire, and

*Whereas*, H.R. 4018 has been introduced into the United States House of Representatives by Congressman James C. Cleveland of New Hampshire, and

*Whereas*, both bills would relieve the trustees of the Saint Gaudens Memorial from the high cost of maintenance which might mean its discontinuance, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring:

That, we, the members of the 1963 General Court of New Hampshire, do hereby memorialize Congress in the passage of the above stated bills, in order that the said Saint Gaudens Memorial may be preserved for posterity, and be it further

*Resolved*, that a copy of these Resolutions be forwarded to the Clerk of the United States Senate and the Clerk of the United States House of Representatives.

Mr. Guest of Cornish spoke in favor of the Concurrent Resolution.

Mr. Taft of Greenville explained the Concurrent Resolution.

The Concurrent Resolution was adopted.

(Speaker in the Chair)

The Chair called for the Special Order for 11:01 today on HB 31, relative to the repeal of the school per capita tax.

The question being on the committee resolution, Inexpedient to legislate.

Mr. Plumer of Bristol moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.



Mr. O'Neil of Chesterfield spoke in favor of the motion.

Mr. Larty of Haverhill explained the committee's report.

The motion to substitute prevailed.

Mr. Plumer of Bristol offered the following amendment and moved its adoption.

### **Amendment to HB 31**

Amend said bill by striking out section 2 and inserting in place thereof the following new sections:

2 Application of Statutes. Amend paragraph XXIII of RSA 186:11 (supp) as amended by 1957, 252:1 and 1961, 196:2 by striking out the words "provided, however, that the total amounts so fixed in any one fiscal year shall not exceed the amount available to the state for this purpose from school districts under the provisions of RSA 194:12, and the amounts received under the provisions of said section 12 shall be maintained in a special fund by the state treasurer and be used for no other purpose than the salaries of superintendents, assistant superintendents and teacher consultants for supervisory unions;" so that the first subparagraph of said paragraph XXIII shall read as follows: Fix the state's share of the salary or salaries of the superintendent, assistant superintendent and approved teacher consultant for supervisory unions in such manner that financial support to supervisory unions shall recognize the element of financial need to the end that the supervisory and administrative services to public education shall be on a more equitable and efficient basis. For the purpose of this paragraph the state's share of the superintendents' annual salary shall be fixed so that each of the amounts so fixed shall vary with specifically designated ranges of equalized valuation as listed in the following table:

3 Takes Effect. This act shall take effect as of January 1, 1964.

\* \* \*

The Clerk read the amendment in full.

The amendment was adopted and the bill was ordered to a third reading.

**Report from Engrossed Bills Committee (Joint Rule No. 6)**

HB 137, relative to passenger tramways, Mrs. Potter for Engrossed Bills. Ought to pass with amendment.

**Amendment to HB 137**

Amend section 8 of said bill by striking out the first two lines and inserting in place thereof the following:

8 Submission of Plans. Amend RSA 225-A by inserting after section 10 the following new section. 225-A:10-a Review of

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the amendment.

**Communication**

April 23, 1963

Honorable Stewart Lamprey, Speaker  
House of Representatives

Dear Mr. Lamprey:

It is my pleasure to invite the Honorable House of Representatives to an Armed Forces Day Luncheon to be served at the Concord National Guard Armory, State Military Reservation, on Wednesday, May 15, 1963.

The Luncheon will be served mess-line style from 11:30 A.M. to 1:30 P.M.

In conjunction with this affair, there will be an exhibit of National Guard equipment which is used by the various units in New Hampshire.

Sincerely,

John W. King

**Personal Privilege**

Mr. Maloomian of Somersworth rose on a point of personal privilege and asked to be recorded as opposing HB 33, relating to the date of the Primary Election.

Mr. Merrill of Hampton Falls rose on a point of personal privilege.

\* \* \*

The Chair announced that today is the birthday of Mr. Eastman of Weare.

The Chair also announced that today is the 25th wedding anniversary of Mr. and Mrs. Cheney of Newton.

The Chair also announced that today is the birthday of Mr. Varney of Rochester.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 315, relative to marking fishing holes cut in ice on Great Bay.

HB 449, relative to on-sale permits for alcoholic beverages.

HB 345, prescribing the time within which certain articles for the warrant are to be presented.

HB 391, relative to motor vehicle operation and registration.

HB 456, relative to weights and lengths of certain vehicles.

HB 31, relative to the repeal of the school per capita tax.

\* \* \*

#### **Report Received**

A report to the N. H. Educational Broadcasting Council on the Engineering Aspects of a State-Wide Educational Television System for the State of N. H. has been received and placed on file in Clerk's office.

### Reconsideration

Mr. Stafford of Laconia, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 402, relating to posting lands against trespass, and spoke against the motion.

Mr. Pickett of Keene spoke in favor of the motion.

(discussion ensued)

Mr. Hill of Conway spoke against the motion.

Messrs. Vashaw of Berlin and Kelley of Littleton spoke in favor of the motion.

Mr. Bouchard of Berlin moved the previous question and it was sufficiently seconded.

The motion was adopted.

Mr. Stafford of Laconia having previously requested to be heard, the Chair asked unanimous consent to allow the member to speak. It was so ordered.

Mr. Stafford of Laconia spoke against the motion.

The question now being on the motion to reconsider HB 402.

The Nays appeared to have it.

Mr. Stafford of Laconia requested a division.

136 members having voted in the affirmative and 189 in the negative, the motion to reconsider was lost.

(Personal Privilege)

Mr. Urie of New Hampton rose on a point of personal privilege.

### Committee Assignments

Messrs. Boettcher and O'Gara of Manchester to Transportation.

Mrs. Doon of Henniker to Public Welfare and State Institutions.

Mr. Hemon of Dover to Public Health.

Mr. Head of Laconia to Ways and Means.

Mrs. St. Pierre of Rochester to Judiciary.

Mr. Lesmerises of Manchester to Labor.

Mr. Wade of Manchester from Labor to Liquor.

\* \* \*

On motion of Mrs. Vey of Brentwood the House adjourned at 1:06 P.M.

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THURSDAY, APRIL 25, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by Guest Chaplain, Reverend Edwin J. Godden from the Richmond Community Church, Richmond, as follows:

Great Ruler of us all, bless, we pray Thee, the leaders of this state. Strengthen the courage of these representatives here assembled — sincere men and women who want to do the right if only they can be sure what is right. Make it plain to them, O Lord, and then wilt Thou guide them in the right way.

Be Thyself with us here today, for we know deep down in our hearts that without Thy help men can do nothing that will abide. Without Thee, men will discuss more and more and settle less and less. Give to these our leaders the courage to admit mistakes when they are made. Let no personal ambition blind them to their opportunities. Give them Divine common sense and a selflessness that shall make them think of service and not of gain.

Knowing that criticism will come, help them to take from it that which is helpful and to forgive what it unjust and unkind. Amid all the pressure brought upon them from day to day, may they ever hear Thy still, small voice and follow Thy guidance for the good of all the people, that Thy will may be done through these Thy servants. In all things, large or

small, reveal Thy wisdom and Thy love; through Jesus Christ our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Bennett of Richmond led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced the following groups as guests of the House today:

A group of Cub Scouts from Hollis, courtesy of Mr. Brocklebank.

A group of 4 H girls from Swanzey.

A group of Girl Scouts from Belmont.

A delegation from the Associated Women of the N. H. Farm Bureau Federation.

The Chair also introduced George Miller, a Junior at Lisbon High School, who last Friday competed in the Boston Marathon. 247 started, 135 finished. George finished 76th with a time of 3 hours and 9 minutes. George addressed the House briefly.

### **Leaves of Absence**

Mrs. Howard of Bartlett and Messrs. Charland of Franklin and Stevens of Epsom were granted leaves of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964. (Clement of Rochester) to Appropriations.

HB 546, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965. (Clement of Rochester) to Appropriations.

HB 547, creating a single Board of Trustees for the State Colleges and Universities (Pappagianis of Nashua) to Education.

HB 548, relating to final payments to contractors on public contracts. (Plourde of Pembroke) to Public Works.

HB 549, relative to compensation of policemen in the city of Portsmouth. (Dame and Coussoule of Portsmouth) to Portsmouth Delegation.

HB 550, relative to fire prevention and fire protection in mobile homes and travel trailers. (Karnis of New Ipswich) to Executive Departments and Administration.

HJR 30, relative to mosquito problem in the seacoast area. (Greene of Rye) to Res., Rec. and Development.

HJR 31, providing for a deficiency appropriation for the state hospital. (MacDonald of Concord) to Appropriations.

HJR 32, providing for a deficiency appropriation for the division of buildings and grounds. (Rules Committee — Clement of Rochester) to Appropriations.

### Committee Reports

HB 16, relative to resurfacing of the Eastern turnpikes, Mr. Belcourt of Nashua for Appropriations. Inexpedient to legislate.

The resolution was adopted.

HB 41, to make appropriation to employ an airport engineer, Mr. Dumont of Berlin for Appropriations. Inexpedient to legislate.

The resolution was adopted.

HB 190, providing for transportation aid to school districts, Mr. Goode of Manchester for Appropriations. Inexpedient to legislate.

The resolution was adopted.

HB 305, making additional appropriations for prison industries, Mr. Goode of Manchester for Appropriations. Inexpedient to legislate.

The resolution was adopted.

HB 27, relative to debt service for the Eastern New Hampshire Turnpike, Mr. Shepard of Londonderry for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 27**

Amend section 4 of the bill by striking out the words and figures "as of January 1, 1963" in the second line and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows:

4 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 282, to provide for cumulative pocket supplements for Revised Statutes Annotated, Mrs. Hartigan of Rochester for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 282**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Revised Statutes Annotated. The secretary of state, with the approval of the attorney general, is authorized and directed to contract with a competent and qualified law book publisher in the name of the state for the editorial preparation, publication and distribution of cumulative pocket supplements to the Revised Statutes Annotated for the statutes of a public and general nature passed at the 1965 session of the general court and any special sessions prior thereto. Such supplements shall follow the general scheme used for the pocket supplements for the 1955, 1957, 1959, 1961 and 1963 sessions of the general court, in accordance with the contract entered into by the secretary of state under the authority of 1955, 278:1. The provisions of RSA 8 relative to competitive bidding for state purchases shall not apply to the contract authorized hereunder.

2 Appropriation. The sum of eleven thousand dollars is hereby appropriated for the purposes of this act relative to the supplements for the 1965 session of the general court and the governor is authorized to draw his warrant for said sum, or so



much thereof as may be necessary, out of any money in the treasury not otherwise appropriated.

3 Takes Effect. The provisions of this act shall take effect as of January 1, 1964.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 40, to provide for payment of compensation of deceased legislators, Mr. Grimes of Dover for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 509, relative to publication of town reports, Mr. Morrill of Salem for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 527, relating to the assessment of taxes for the Tilton-Northfield Fire Precinct, Mr. Hackler of Swanzy for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 247, changing the name of Shaw's Pond in the town of New Durham to Pleasant View Lake, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate.

On motion of Mr. Claflin of Wolfeboro, HB 247 was made a Special Order for 11:01 on Tuesday next.

HB 268, providing for the classification of the waters of Newfound Lake, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

HB 326, relative to establishing a young boatman's training program, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate.

The resolution was adopted.

HB 38, establishing a legislative services committee, Mrs. Clark of Lee for Executive Departments and Administration. Ought to pass with amendment.

**Amendment to HB 38**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Legislative Services Committee. Amend RSA by inserting after chapter 17 thereof the following new chapter:

**Chapter 17-A****Legislative Services Committee**

17-A:1 Establishment and Functions. I. There is hereby established a legislative services committee, hereinafter referred to as the committee.

II. It shall be the function of the committee: (1) to supervise and do research and drafting for the general court and the members thereof; (2) to establish and supervise such services as will, in its opinion, assist the members of the general court to better perform their constitutional duties; (3) to supervise and require, so far as possible, that the policies and intent of the general court are carried out and investigate and report the conformity or lack of conformity therewith; (4) to authorize and supervise expenditures for legislative purposes under the provisions of this chapter, to report its findings and recommendations and to submit legislation to implement the same to the general court.

17-A:2 Membership. The committee shall consist of seventeen members.

I. Nine shall be from the house of representatives, appointed by the speaker, the members of the minority party to be nominated by the minority leaders.

II. Four shall be from the senate, appointed by the president, the members of the minority party to be nominated by the minority leaders.

III. Four shall be ex-officio members with voting privileges and they shall be the following: majority leaders of the senate and of the house, minority leaders of the senate and of the house.

IV. The members to be appointed as provided in paragraphs I and II above shall be appointed prior to the adjournment of each regular biennial session of the general court.

V. The thirteen members comprised of those to be appointed as provided in paragraphs I and II above, shall be in proportion generally to the relative number of members of the two major political parties in each respective branch of the general court.

VI. Each member shall hold office until the appointment or election of his successor or until the termination of his term of office in the general court, whichever shall occur first, but a member may be appointed to succeed himself.

VII. Any vacancy, occurring when the general court is in session or during the interim, shall be filled by the appointment of some other qualified member of the respective branch of the general court by a majority of the remaining members of the committee.

17-A:3 Organization. The committee shall meet, at the call of the president of the senate, within two weeks after the proroguing of each biennial session of the general court and organize by electing a chairman and vice-chairman, one of whom shall be a member of the house of representatives and one of whom shall be a member of the senate, and a secretary. Said three officers shall constitute an executive committee and shall have the authority to perform such duties as the committee may direct.

17-A:4 Rules. The committee shall establish rules to govern its practice and procedure but a majority of its members shall constitute a quorum and it may appoint subcommittees from its membership to act in its behalf subject to its rules.

17-A:5 Meetings, Mileage, Expenses. The committee shall meet, after its organization, at the call of the chairman or a majority of its members, as often as needed to carry out its duties. It shall have a continuing existence and as required meet, act, and conduct its business during any session of the general court or any recess thereof, and in the interim period between sessions. The members shall serve without compensation but shall be paid a travel allowance for the actual distance traveled, at the rate of eight cents per mile, and the cost of necessary expenses when attending meetings of the committee or any subcommittee thereof or conferences, or engaged in any other work of the committee, except that members shall not be paid travel allowance to and from the state house on days when the general court is in session.

17-A:6 Duties and Authority. I. It shall be the duty of the legislative services committee to consider all matters referred to it by the general court, as well as such problems of major concern throughout the state as might reasonably be expected to come before the general court for its consideration. The governor may send messages to any session of the committee containing his recommendations and explaining the policy of the administration. The legislative services committee shall prepare in advance of each regular session of the general court a report incorporating its studies, together with a legislative program based upon its research, studies and exploration of the state's problems. The chairman of the legislative services committee shall assign members to the committees established under section 4 and may appoint special committees from its membership to consider, study and resolve particular matters under consideration. The legislative services committee shall have authority to hold public hearings, to request information from witnesses and to secure testimony and evidence by use of a subpoena duces tecum, so far as such appearance, testimony and evidence is material and relevant to its duties; and to consult from time to time while the legislature is not in session with the governor regarding the execution of legislative policy by the executive departments. The legislative services committee shall consult from time to time with the commission to study uniform state laws established by RSA 18:1 on uniform legislation. The legislative services committee may require state, county, city and town officers to furnish such reports, data, memoranda and other facts as may come within the custody or knowledge of said officers in their official capacity, when said reports, data, memoranda and other facts are deemed by the committee to be necessary in the performance of its duties. Wilful failure to comply with such a request shall be deemed a misdemeanor. Upon the recommendation of the committee, the chairman shall have the power to appoint to advisory committees persons who may or may not be members of the committee but who shall have proper qualifications and specialized knowledge to assist the committee in performing its duties.

II. The legislative services committee shall have the authority to appoint a director of legislative services and fix and pay his salary and reimburse him for his actual expenses when engaged in the duties of his office; and to employ such professional, technical, research, and clerical assistance as it may deem

desirable and as may be required to perform its duties and to pay the cost and expenses of such employment, within the limits of its appropriation.

17-A:7 Director, Functions and Duties. The director of legislative services: I. Shall be responsible to the committee for the collection and assembling of all data, and for the preparation of reports and recommendations, and for the drafting of bills and resolutions.

II. Shall draft bills for both houses of the general court and the members and incoming members thereof, and shall check and examine all bills prior to final engrossment.

III. Pursuant to the policies and directions of the committee, shall perform or cause to be performed, as circumstances will permit, research and drafting service requested by any committee of the general court in connection with the performance of its functions; shall give such consideration to and service concerning any measure before the general court, as circumstances will permit, and which is in any way requested by the house or senate or any committee of the general court having the measure before it for consideration; shall assist and cooperate with any interim legislative committee or other legislative agency created by the general court. Research and drafting assignments made to him by joint or concurrent action of the general court shall be given priority over other research and drafting requests received or those initiated by the committee.

IV. Shall be appointed for a term of six years from the date of his appointment and shall hold office until his successor is appointed. He shall be chosen without reference to party affiliation and solely on the ground of his fitness, qualifications and experience to perform the duties of his office.

V. Shall, subject to the general policies of the committee, have administrative direction of the activities of the committee and shall be assigned office supplies and equipment belonging to the general court.

VI. May, subject to the approval of the committee, appoint a deputy director of legislative services and appoint such additional professional, technical, clerical or other employees necessary to perform the functions assigned to him by the committee.

VII. Shall maintain a permanent office in the state house where he shall be provided with suitable and sufficient offices convenient to the chambers of the house and senate and shall be in attendance upon all sessions of the general court. Said office shall be kept open during the time provided for other state offices, and when the general court is in session at such hours, day and night, as are most convenient for members of the general court.

17-A:8 Appropriation. All the costs and expenses of the committee and its staff as approved by the committee on appropriations of the house of representatives shall be a charge on the legislative appropriation.

Amend section 7 of the bill by striking out in the third line the words "during the 1963 session of the legislature" and by striking out in the seventh line the word "her" and inserting in place the word, his, so that said section as amended shall read as follows:

7 Legal Research Assistant. The legal research assistant in the office of the attorney general shall have general supervision over the establishment of a drafting system by the director of legislative services and shall be available for consultation and assistance insofar as his employment will permit.

Amend section 8 of the bill by striking out the words "upon its passage" and inserting in place thereof the following: July 1, 1963, so that said section as amended shall read as follows:

8 Takes Effect. This act shall take effect on July 1, 1963.

\* \* \*

Mrs. Clark of Lee, Messrs. Smith of Plymouth, Cobleigh of Nashua, Wheeler of Exeter, Hill of Conway and Goode of Manchester spoke in favor of the amendment.

Messrs. Taft of Greenville and O'Neil of Chesterfield spoke against the amendment.

(discussion ensued)

At the request of Mr. Mahoney of Manchester, Mrs. Clark of Lee answered a question.

Mr. Claveau of Hudson spoke in favor of the amendment.

The question being on the adoption of the committee amendment.

On a voice vote the Yeas appeared to have it.

Mr. Taft of Greenville requested a division but subsequently withdrew his request, and the amendment was adopted.

Mr. Hancock of Concord offered the following amendment.

### Amendment to HB 38

Amend paragraph IV of section 17-A:7 as inserted by section 1 of the bill by striking out the word "six" in the first line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows:

IV. Shall be appointed for a term of two years from the date of his appointment and shall hold office until his successor is appointed. He shall be chosen without reference to party affiliation and solely on the ground of his fitness, qualifications and experience to perform the duties of his office.

\* \* \*

The Clerk read the amendment in full.

Mr. Hancock spoke in favor of the amendment.

The amendment was adopted and HB 38 was referred to the committee on Appropriations under the Rules.

\* \* \*

(Peterson of Peterborough in the Chair)

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to dispense with the printing of HJR 31, providing for a deficiency appropriation at the State Hospital, and to dispense with reference to committee.

Mr. Clement explained the resolution.

The motion was adopted.

Mr. Clement of Rochester moved that the rules of the House be further suspended as to place HJR 31 on third reading and final passage at the present time.

The motion was adopted.

### **Third Reading**

HJR 31, providing for a deficiency appropriation at the State Hospital, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to dispense with the printing of HJR 32, providing for a deficiency appropriation for the division of Buildings and Grounds, and to dispense with reference to committee.

Mr. Clement explained the resolution.

The motion was adopted.

Mr. Clement of Rochester moved that the rules of the House be further suspended as to place HJR 32 on third reading and final passage at the present time.

The motion was adopted.

### **Third Reading**

HJR 32, providing for a deficiency appropriation for the division of Buildings and Grounds, was read a third time, passed, and sent to the Senate for concurrence.

(Speaker in the Chair)

### **Journal Corrections**

The Chair announced an error in the Journal for March 28 on page 7. The following lines from the amendment to HB 100, providing for the assessment and collection of a special head tax for state purposes, offered by Mr. Peterson and adopted, were omitted:

Amend section 15 of said bill by striking out the same and inserting in place thereof the following:

15. Exceptions. All persons on active duty in the armed forces of the United States of America on the date of assessment shall be exempt from payment of the special head tax.



Veterans totally and permanently disabled from service connection who are drawing federal compensation or pension and whose income, exclusive of said compensation or pension, is less than one thousand dollars a year, upon written request filed on or before May fifteenth, 1963, or on or before April fifteenth, 1964, shall be exempt from the special head tax for the respective year.

Amend section 19 of said bill by striking out the word "April" and inserting in place thereof the word, May, so that said section as amended shall read as follows:

19 Takes Effect. This act shall take effect as of May 1, 1963.

\* \* \*

The Chair asked unanimous consent to correct the permanent Journal in accordance with the docket.

\* \* \*

On page 9 of the Journal for Tuesday, April 23, concerning the amendment which was adopted on HB 389, relative to the practice of architecture, the following two lines were omitted: — "Amend section 6 of said bill by striking out the same and inserting in place thereof the following:"

By unanimous consent of the House this error has been corrected in the permanent Journal.

### **Report from Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 129, An act relative to the sale of liquor and beverages in first class hotels.

Mrs. Potter of Northumberland  
Mr. York of Concord

\* \* \*

On motion of Mr. Remick of Tamworth the order whereby the resolution authorizing Speaker to appoint a special committee to study the extent and use of real property owned by the state in the town of Tamworth, was referred to the committee on Resources, Recreation and Development, was vacated and the resolution was referred to Municipal and County Government.

### Resolutions

Mr. Chamberlin of Bath offered the following resolutions:

*Whereas*, Kenneth G. Bell, Representative from Plymouth, has been hospitalized in the Sceva Speare Memorial Hospital in Plymouth, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Bell.

The resolutions were unanimously adopted.

Mr. Dionne of Nashua for the Hillsborough County Delegation offered the following resolutions:

*Whereas*, John J. Kearns, Representative from Manchester, has been hospitalized in the Sacred Heart Hospital in Manchester, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Kearns.

The resolutions were unanimously adopted.

Mr. Dionne of Nashua for the Hillsborough County Delegation offered the following resolutions.

*Whereas*, A. Kenneth Hambleton, Representative from Goffstown, has been hospitalized in the Moore General Hospital in Grasmere, therefore be it

*Resolved*, That we, the members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Hambleton.

The resolutions were unanimously adopted.

Mrs. Tarrant of Pittsfield offered the following resolutions:

*Whereas*, Victor E. Trace, a former Representative from Pittsfield, has passed away,

*Whereas*, He served as town treasurer, associate Judge of the Municipal Court, fifteen years as consultant to registrants on the local Selective Service Board, and was selected as Citizen of the year from Pittsfield, therefore be it

*Resolved*, That we the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town, country and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his widow, Mrs. Harriet Trace, a copy of these Resolutions.

The resolutions were unanimously adopted.

Mrs. Clark of Lee and Mr. Grimes of Dover offered the following resolutions:

*Whereas*, Frank I. Caldwell, a former Representative from Lee has passed away,

*Whereas*, He served as selectman, town treasurer and school district treasurer, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to his widow, Mrs. Florence Caldwell.

The resolutions were unanimously adopted.

**Communication**

April 25, 1963

Dear Speaker Lamprey:

May I please take this opportunity, through you, to thank members of the 1963 General Court for their kindness in permitting me to share so generously in the honors of your third testimonial dinner party.

We shall long cherish the memory of these sentiments, as will Mrs. Anderson and other members of my family.

Sincerely,

Leon W. Anderson  
Concord Daily Monitor

\* \* \*

The Chair announced that today is the birthday of Mrs. Richardson of Dover, Mr. Clancy of Manchester and Mr. Bolduc of Belmont.

The Chair declared a one hour recess.

**After Recess****Personal Privilege**

Mr. Pickett of Keene rose on a point of personal privilege.

\* \* \*

**Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 100, An act providing for the assessment and collection of a special head tax for state purposes.

Mrs. Potter of Northumberland

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

**Afternoon Session****Third Reading**

SB 40, to provide for payment of compensation of deceased legislators, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 27, relative to debt service for the Eastern New Hampshire Turnpike.

HB 282, to provide for cumulative pocket supplements for Revised Statutes Annotated.

HB 527, relating to the assessment of taxes for the Tilton-Northfield Fire Precinct.

HB 268, providing for the classification of the waters of Newfound Lake.

\* \* \*

On motion of Mrs. Weeks of Greenland the House adjourned at 2:41 P.M.

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TUESDAY, APRIL 30, 1963

The House met at 11:00 A.M.

**Joint Convention**

Prayer was offered by the Chaplain as follows:

Gracious Father, humbly we enter Thy Divine Presence, seeking sufficient wisdom and strength to meet the challenges of a new day. Thou hast endowed us with sacred privilege, freely elected, and charged with the responsibility of those committed to our care. Thou hast implanted the seeds of truth and freedom in our hearts, charging us to defend, protect, and preserve these blessed liberties through our personal and public stewardship. Inspire us, through our daily labors, to maintain the lofty ideals upon which our beloved "Granite State" has been nurtured. May our faithfulness in service, devotion to

duty, and courageous action be the measure of our faith in Thee. In the midst of darkness, guide us into the light of Thy Compassionate and Merciful Love, O Lord, we beseech Thee in Thy Name. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Gay of Derry led the Convention in the Pledge of Allegiance to the Flag.

### **Governor's Message**

His Excellency, Governor John W. King appeared before the Joint Convention and delivered the following message:

Mr. Speaker, Mr. President, and members of the General Court.

I come here this morning to discuss with you in detail a serious piece of legislation recently approved by your membership and sent to my office for signature.

Because of the Controversy engendered by this legislation I feel it incumbent upon myself, as Chief Executive, to report directly to the General Court my own action with respect to this legislation and what that action entails.

A few minutes ago — in my office — I signed House Bill 47.

The decision to sign this legislation was not arrived at lightly. It was taken only after lengthy deliberation and introspection.

Having made the decision — you, as members of the legislative branch of our state and myself representing the executive department must turn our minds and wills to the task of making the first state-operated sweepstakes in this country one that will be conducted honestly, efficiently and in compliance with the laws of the United States Government. I am convinced this can be done. During the past week my Legislative Counsel, Mr. Joseph Millimet, conferred with officials of the United States Department of Justice in Washington with reference to the intrinsic legality of this law and with the possible conflicts with federal laws that could arise out of the conduct of the sweepstakes. Mr. Millimet has informed me that his conversations with Justice Department officials have convinced him that

no violation of federal law will be involved in the sale of sweepstakes tickets to either residents of New Hampshire or non-residents. It is perfectly lawful for our neighbors to come here on vacation, buy sweepstakes tickets and collect their prizes if they win.

It should be pointed out that in this field federal law is concerned only with interstate traffic and not with sweepstakes conducted in a single state.

The whole question of interstate gambling was reviewed in 1961 and 1962 when the Congress, at the request of Attorney General Robert Kennedy enacted additional legislation governing the subject. The history of that legislation and the official instructions issued to United States Attorneys throughout the country indicates that its purpose is "to deny the channels of interstate commerce to illegal wagering enterprises." Under House Bill 47 the New Hampshire sweepstakes would not be an illegal wagering enterprise.

While it is not our duty to enforce federal law neither is it our prerogative to create a situation where violation of federal law is the inevitable consequence. However, I am convinced that by the adoption of appropriate safeguards the administration of the law by the Sweepstakes Commission can be conducted without such violations.

Those safeguards should include the placing of a realistic limit on the number of tickets that may be sold to any one person — and possibly offering to non-resident purchasers the option of signing their tickets and depositing them with agents of the commission within the state. Certainly, we would also expect the commission to forbid the sale of tickets to minors.

The regulations themselves will be a subject for the commission to study but I shall make it an overriding concern of my office to see to it that this operation does not reflect discredit on this state. And I am confident that can be done.

To insure that type of operation we must make certain that the commissioners who will administer this law are men of unquestioned probity and rare judgment and courage. I am confident that such men are available.

At the same time we must be realistic about the necessity of providing an appropriation for the commission to carry out its functions.

In view of the need to print tickets, to employ professional and technical advisors and to do all the multitude of other things necessary to put into operation any new state agency, I cannot, in good conscience, ask the type of citizen we need on this commission to undertake this difficult job without assuring him that the necessary funds are available.

The bill, as passed, specifically prohibits payment out of any state funds other than the funds received under the provisions of the law itself.

As a practical matter this means that the commissioners would have to incur all these expenses on their own responsibility and if anything should prevent the free operation of the sweepstakes races, the commissioners might incur many thousands of dollars worth of personal liability. Considering this, and all the other problems with which they will be faced, I feel this is too much to ask and I would be unwilling to appoint this commission until the Legislature takes the necessary steps to provide this commission with funds to set up this operation. I would therefore recommend to the General Court that it authorize an appropriation that will permit House Bill 47 to become effective and operative.

In our research on the implications of this bill, Mr. Millimet, my Legislative Counsel also sought a ruling from the Internal Revenue Service with respect to federal taxes on the sweepstakes.

We have received an informal, oral opinion that the proceeds of the New Hampshire Sweepstakes would be subject to a 10 percent excise tax. This means the Federal Treasury would receive 10 per cent of the gross receipts of the sweepstakes. Now that the bill has become law we should seek a formal ruling and make every effort to determine whether by technical amendment to the statute or by appropriate administrative regulation it may be possible to avoid this federal tax. It is the policy of the Internal Revenue Code to exempt lotteries from this type of tax when they are conducted by tax-exempt organizations for educational purposes and not for private gain. Certainly the New Hampshire sweepstakes law falls within this policy and it is to be hoped that we can achieve the desired tax exemption.

At this time I should also like to point out to your honorable membership that this legislation does not provide a source



of revenue for the state itself — but only for its local communities.

The state still has its obligations to its citizens independent of the obligations of its cities and towns.

I have previously recommended to you a fiscal program designed to meet our state obligations. Passage of that program including the educational bond issue is still urgently needed and that need is completely unaffected by the passage of sweepstakes legislation. I would urge you therefore not to relax in your consideration of state government needs.

Finally, inasmuch as this legislation has aroused such deep feelings on the part of our people, I believe that an explanation of my action in signing this bill is in order.

First, may I say that I have not been unmoved by the messages from many sincere people in our state who have deep convictions against this legislation.

I have respect for those who have an honest, sincere concern about the morality of this action although I do not agree with them.

As for those who raise the fear of undesirable elements invading our state, I firmly believe this fear is without foundation.

I am convinced that we can conduct an honest and respectable operation that will have the tendency to discourage those who seek illegal gain in this field.

I did not introduce this legislation.

I did not use my office to either support or defeat it as it moved through the legislative process.

It was not a party issue.

When asked by the Democratic leaders of the House and Senate of my feelings toward the bill I instructed them to follow the path of their own conscience. One of those leaders in good conscience voted against the bill. The others in equally good conscience voted for it. I respect and uphold the actions of both.

The bill was introduced by a Democrat — and approved by a Republican House and Senate after protracted hearings

and lengthy debate. Because of this and because of many other indications I am convinced that this legislation represents the will of the majority of the people of New Hampshire.

When seeking this high office I promised that my administration would make every effort to reflect the will of our people.

Those who favored my election to office were well aware of my voting record on this issue — I make no apology for consistency.

Our local communities are faced with constantly increasing demands for school facilities at a time when our people are already carrying a cross of taxation unequalled in American history. They cry out for relief — and if they demonstrate an obvious desire to try this voluntary method of raising new revenues, then I conceive it our duty to try to execute their wishes.

Over the past few weeks I have had increasingly heavy pressures on the part of well-intentioned citizens to thwart the will of the majority by a veto of this legislation, but I am convinced that to do so would be to deny the right of the people of our state to embark on a legitimate fiscal experiment. This is a right of self government and so long as I am Chief Executive that right will be preserved. I am unwilling to set myself up as a Solomon or a Caesar in the holy assumption that my views are more intelligent or discerning or moralistic than those of our people.

Therefore, let the debate be ended. Let us assume the responsibility that has been thrust upon us and put forth our greatest effort to make this new venture a success.

On motion of Senator Martel from the 17th District the Convention rose.

## **House**

### **Introduction of Guests**

The Chair introduced a group of 4th grade students from Derry, courtesy of the Derry Delegation.

### **Leaves of Absence**

Mr. Bruton of Manchester was granted leave of absence for the week on account of illness.

Mr. Boutin of Benton was granted leave of absence for the week on account of illness in the family.

Messrs. Urie of New Hampton and Head of Laconia were granted leaves of absence for the day on account of illness.

Mr. Soucy of Manchester was granted leave of absence for today and Wednesday on account of important business.

Mr. O'Neil of Chesterfield was granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 551, relative to tree wardens. (Hancock of Concord) to Resources, Recreation and Development.

HB 552, relative to bridges on class II highways in Hebron. (Hampson of Hebron) to Public Works.

HB 553, to establish a new apportionment for the assessment of public taxes. (Newell of Concord) to Ways and Means.

HB 554, to provide additional funds for public education. (Pappagianis of Nashua) to Education.

HB 555, relative to authorizing matching federal payments for fiscal year 1965 under the Manpower Development and Training Act of 1962. (Angus of Claremont) to Appropriations.

HB 556, relative to the incorporation of the Upper Valley Development Council, Inc. (Johnson of Hanover) to Judiciary.

HB 557, relating to the use of secondhand parts in the repair of motor vehicles. (St. Pierre of Rochester) to Transportation.

HB 558, relative to the time of inserting articles in town warrants. (Hanson of Bow) to Municipal and County Government.

### **Committee Reports**

HJR 13, in favor of Mount Washington Observatory, Mrs. Taylor of Whitefield for Appropriations. Ought to pass with amendment.

**Amendment to HJR 13**

Amend Joint Resolution by striking out in the eight line the figure "1963" and inserting in place thereof the figure, 1964, and by striking out in the same line the figure "1964" and inserting in place thereof the figure, 1965, so that said Joint Resolution as amended shall read as follows:

"That, for the purpose of recognizing the importance of Mount Washington Observatory and in order to cover such

overhead costs as are not allocable to its activities in the restricted field of sponsored scientific undertakings, the sum of three thousand five hundred (\$3,500) dollars is hereby appropriated to the Mount Washington Observatory for the year 1964 and a like sum for the year 1965. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated."

\* \* \*

The amendment was adopted and the resolution was ordered to a third reading.

HB 482, relative to lending institutions holding funds on mortgaged real estate for the payment of taxes, Mr. Bigelow of Warner for Banks. Inexpedient to legislate.

Mr. Bednar of Hudson moved that the words, Ought to Pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Bigelow of Warner spoke against the motion.

Mrs. Vey of Brentwood spoke against the motion.

The motion was not adopted and the resolution of the committee was adopted.

HB 243, relative to investment of school district funds, Mrs. Demers of Lebanon for Education. Ought to pass with amendment.

**Amendment to HB 243**

Amend section 1 of the bill by striking out the word "town" in the eighteenth line and inserting in place thereof the word, district, so that said bill as amended shall read as follows:

1 School District Funds. Amend RSA 197 by inserting after section 23 the following new section: 197:23-a Treasurer's Duties. The treasurer shall have custody of all moneys belonging to the district, and shall pay out the same only upon order of the school board. He shall deposit the same in solvent banks in the state, except that funds may be deposited in banks outside the state if such banks pledge and deliver to the state treasurer as collateral security for such deposits United States government obligations in value at least equal to the amount of the deposit in each case. The amount of collected funds on deposit in any one bank shall not at any time exceed the sum of its paid up capital and surplus. The treasurer shall keep in suitable books a fair and correct account of all sums received into and paid from the district treasury, and of all bonds and notes given by the district, with the particulars thereof. At the close of each fiscal year he shall make a report to the district, giving a particular account of all his financial transactions during the year. He shall furnish to the school board statements from his books, and submit his books and vouchers to them and to the auditors for examination whenever so required. Whenever the treasurer has in his custody an excess of funds which are not immediately needed for the purpose of expenditure, he may, with the approval of the school board, invest the same in short term obligations of the United States.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 450, relative to appointment of inspectors and police power of personnel, Mr. Sherman of Lancaster for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 477, relative to the members of the public utilities commission, Mrs. White of Portsmouth for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 507, relative to printing ballots, Mr. Claveau of Hudson for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 104, relative to advisory commission and transfer of powers under the department of health and welfare, Mr. Eastman of Weare for Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to HB 104**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following sections:

1 Department of Health and Welfare. Amend paragraph III of RSA 126-A:2 (supp) as inserted by 1961, 222:1 by inserting after the word "thereto" in the fifth line the words and figures, in accordance with the provisions of RSA 8 and 9, and amendments thereto, so that said paragraph as amended shall read as follows: III. With the approval of the governor and council and after consultation with directors of divisions affected, and with the water pollution commission as it may be concerned, the commissioner of health and welfare is authorized to transfer appropriations or portions thereof relating thereto in accordance with the provisions of RSA 8 and 9, and amendments thereto, within and between any division of the department. The commissioner of health and welfare is authorized to transfer classified personnel, after consultation with the directors of divisions affected and with the water pollution commission as it may be concerned, within and between any division of the department in accordance with rules and regulations of the personnel commission; provided, however, that no such transfer shall eliminate the classified position transferred.

Further amend the bill by striking out sections 2, 3 and 4 and inserting in place thereof the following: 2 Down Grade. Amend paragraph IV of said section 126-A:2 by inserting after the word "eliminate" in the second line the words, or down grade, so that said paragraph as amended shall read as follows: IV. Except as may be specifically provided to the contrary in this act, nothing herein shall imply nor be construed to eliminate or down grade any position in the classified service of the state nor to reduce existing salary or emoluments attendant upon any classified position affected by transfer or merger under this chapter. Vacancies in classified positions occurring after July 1, 1961 in any department functions to be transferred to the new department of health and welfare shall not be filled without the approval of the governor and council, provided

that after written notification of vacancies to be filled are received by governor and council from the commissioner of health and welfare, and if no action is taken on these requests within thirty days, the commissioner of health and welfare may fill such vacancy or vacancies forthwith. No permanent classified employee in the state service upon the effective date of this act shall be required to take an examination to remain in his position.

3 Clerk. Amend RSA 126-A:8 (supp) as inserted by 1961, 222:1 by inserting after the word "more" in the thirty-seventh line the word, than; further amend said section by inserting after the word "chairman" in the thirty-eighth line the words. The commission shall have a clerk chosen by the commission to serve at the pleasure of the commission and who may be an employee of the department of health and welfare. The clerk shall keep a record of all regular and special meetings of the advisory commission and a record of attendance of all members, shall notify the secretary of state of vacancies and shall perform such secretarial and clerical work as the commission may require. Further amend said section by inserting after the word "forthwith" in the forty-second line the words, Six members of the advisory commission shall constitute a quorum provided that the commission shall have been duly and fully constituted, or that having been duly and fully constituted not more than two vacant positions exist in the commission when the quorum is required. At any meeting an affirmative vote of not fewer than six members present shall be required to adopt any motion, so that said section as amended shall read as follows: 126-A:8 Advisory Commission; Establishment. There shall be an advisory commission on health and welfare consisting of eleven members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one psychologist to be nominated for appointment by the New Hampshire Psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, one dentist to be nominated by the New Hampshire Dental Association and five members-at-large who are not members of the medical profession who shall include representatives

of non-governmental organizations or groups concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services, to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of health and/or welfare. The commissioner of health and welfare will be an additional member of the advisory commission when the commission is performing the duties now set forth in RSA 151:11 and RSA 152:5. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than a period of thirty days after receipt of notice from the secretary of state that the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: three members for one year, two members for two years, two members for three years, two members for four years, and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be designated by the governor from among its membership. The term of the chairman shall be for one year. He may be reappointed as chairman but for not more than three consecutive years, and thereafter shall be ineligible to be chairman. The commission shall have a clerk chosen by the commission to serve at the pleasure of the commission and who may be an employee of the department of health and welfare. The clerk shall keep a record of all regular and special meetings of the advisory commission and a record of attendance of all members, shall notify the secretary of state of vacancies and shall perform such secretarial and clerical work as the commission may require. The clerk may be an employee of the department. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Six members of the advisory commission shall constitute a quorum



provided that the commission shall have been duly and fully constituted, or that having been duly and fully constituted not more than two vacant positions exist in the commission when the quorum is required. At any meeting an affirmative vote of not fewer than six members present shall be required to adopt any motion. Members of the commission shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

4 Amend RSA 222:9 by striking out all after the word "hereof" in the eighth line and inserting in place thereof the following: The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 shall terminate as of June 30, 1963, so that said section as amended shall read as follows: 222:9 Authority of Governor and Council. Provided that if further regulations and designations are required by the federal government in connection with eligibility of the Department of Health and Welfare to receive and use federal funds heretofore available to the existing agencies hereby merged or funds to be available to the new department, the governor and council are hereby authorized to adopt such regulations and to make such designations as may be required to effectively accomplish the purpose hereof. The authority of the governor and council to approve the filling of vacancies in the classified service after July 1, 1961 shall terminate as of June 30, 1963.

\* \* \*

Mr. York of Concord spoke against the committee amendment.

Mr. Newell of Concord offered the following amendment to the amendment.

#### **Amendment to Amendment to HB 104**

Amend the amendment by striking out the new section 3 and inserting in place thereof the following:

3 Clerk. Amend RSA 126-A:8 (supp) as inserted by 1961, 222:1 by inserting after the word "more" in the thirty-seventh line the word, than; further amend said section by inserting after the word "chairman" in the thirty-eighth line the words; The commission, in June of each year, shall elect a vice-chairman, and a clerk who may be a classified employee of the de-

partment. The clerk shall keep a record of all regular and special meetings of the advisory commission and a record of attendance of all members, shall notify the secretary of state of vacancies and shall perform such secretarial and clerical work as the commission may require. Further amend said section by inserting after the word "forthwith" in the forty-second line the words, Six members of the advisory commission shall constitute a quorum provided that the commission shall have been duly and fully constituted, or that having been duly and fully constituted not more than two vacant positions exist in the commission when the quorum is required. An affirmative vote of not fewer than six members present at any meeting shall be required on motions pertaining to duties of the commission as set forth in sections 9, 25 and 33; so that section 126-A:8 as amended shall read as follows:

126-A:8 Advisory Commission; Establishment. There shall be an advisory commission on health and welfare consisting of eleven members appointed by the governor and council for a term of five years and until their successors shall be appointed and qualified. The advisory commission shall be comprised of one physician specializing in psychiatry, one pediatrician, and one general practitioner or internist, each of the foregoing to be first nominated for appointment by the New Hampshire State Medical Society, one psychologist to be nominated for appointment by the New Hampshire Psychological Association, one social worker to be nominated for appointment by the New Hampshire chapter of the National Association of Social Workers, one dentist to be nominated by the New Hampshire Dental Association and five members-at-large who are not members of the medical profession who shall include representatives of non-governmental organizations or groups concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services, to be nominated and appointed by the governor and council, having due regard for their individual background and interest in the field of health and/or welfare. The commissioner of health and welfare will be an additional member of the advisory commission when the commission is performing the duties now set forth in RSA 151:11 and RSA 152:5. Nominations to the governor and council shall be promptly submitted both with respect to initial and successor appointments as well as the filling of vacancies, to the end that

there shall be the least possible period of less than full membership of the advisory commission. Whenever nominations to the governor and council from any sources are delayed for longer than a period of thirty days after receipt of notice from the secretary of state the the nomination is required, the governor and council are authorized to appoint without such nomination, but having due regard to the qualifications required of each appointee as set forth herein. Initial appointments by the governor and council shall be as follows: three members for one year, two members for two years, two members for three years, two members for four years, and two members for five years. Vacancies shall be filled for the unexpired term in the same manner as the original appointment. The commission shall have a chairman, who shall be designated by the governor from among its membership. The term of the chairman shall be for one year. He may be reappointed as chairman but for not more than three consecutive years, and thereafter shall be ineligible to be chairman. The commission, in June of each year, shall elect a vice-chairman, and a clerk who may be a classified employee of the department. The clerk shall keep a record of all regular and special meetings of the advisory commission and a record of attendance of all members, shall notify the secretary of state of vacancies and shall perform such secretarial and clerical work as the commission may require. The commission shall meet not less frequently than quarterly and at such other times as it may be convened by the call of the chairman, the call of the commissioner, and on the petition of any three members it shall be the duty of the chairman to convene the commission forthwith. Six members of the advisory commission shall constitute a quorum provided that the commission shall have been duly and fully constituted, or that having been duly and fully constituted not more than two vacant positions exist in the commission when the quorum is required. An affirmative vote of not fewer than six members present at any meeting shall be required on motions pertaining to duties of the commission as set forth in sections 9, 25 and 33. Members of the commission shall receive no per diem but shall be entitled to expenses including mileage when in the performance of duties required by this act.

\* \* \*

On motion of Mr. Newell of Concord, reading of the amendment was dispensed with.

Mr. Newell of Concord explained the amendment to the amendment.

(discussion ensued)

Mr. McMeekin of Haverhill spoke in favor of the amendment to the amendment.

(discussion ensued)

The amendment to the amendment was adopted.

Mr. Newell of Concord offered a further amendment to the amendment, which the Clerk read in full.

Further amend the amendment to the bill by striking out section 4 and inserting in place thereof the following:

4 Vacancies. Amend RSA 126-A:34 (supp) as inserted by 1961, 222:9 by striking out said section and inserting in place thereof the following: 126-A:34 Authority of Governor and Council. Provided that if further regulations and designations are required by the federal government in connection with eligibility of the Department of Health and Welfare to receive and use federal funds heretofore available to the existing agencies hereby merged or funds to be available to the new department, the governor and council are hereby authorized to adopt such regulations and to make such designations as may be required to effectively accomplish the purpose hereof. The authority of the governor and council to approve the filling of vacancies in the classified service of the department, as provided in RSA 126-A:2, IV, shall terminate on June 30, 1963. All powers for making changes in intra-departmental organization and transferring appropriations as provided in RSA 126-A:2, II and III shall terminate on June 30, 1965.

\* \* \*

Mr. Newell of Concord spoke in favor of the amendment to the amendment.

(discussion ensued)

The amendment to the amendment was adopted.

The question now being on the committee amendment as amended.

The committee amendment was adopted.

The question now being, shall the bill be ordered to a third reading.

Mr. Morse of Enfield spoke against the question.

Mr. York of Concord moved that HB 104 be recommitted to the committee on Executive Departments and Administration.

Messrs. Angus of Claremont and McDonald of Concord spoke in favor of the motion.

Mr. McMeekin of Haverhill spoke against the motion.

The motion to recommit did not prevail and the bill was ordered to a third reading.

HB 279, relative to penalty for escape from houses of correction, Mr. Moran of Manchester for Judiciary. Ought to pass with amendment.

### **Amendment to HB 279**

Amend section 1 of the bill by striking out the words "three years" in the sixty line and inserting in place thereof the words, one year, so that said section as amended shall read as follows:

1 Houses of Correction. Amend RSA 620:9 by striking out said section and inserting in place thereof the following: 620:9 Penalty. If any offender shall escape from a house of correction he shall be punished by imprisonment or confinement for not more than one year; the sentence to such imprisonment or confinement shall not be concurrent with any other sentence then being served or thereafter to be imposed upon such escapee.

Further amend said bill by striking out section 2 and by renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 314, relating to issues of law arising in municipal courts, Mr. Upton of Concord for Judiciary. Inexpedient to legislate.

The resolution was adopted.

Concurrent Resolution relative to the use of synthetic detergents, Mr. Casassa of Hampton for Resources, Recreation and Development. Concurrent Resolution be adopted.

The concurrent resolution was adopted.

HB 412, relative to rates for use of facilities for skiing at Cannon Mountain and Mt. Sunapee, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate.

The resolution was adopted.

HB 156, relative to motor vehicles on ice on Great Bay, Mr. Claffin of Wolfeboro for Transportation. Inexpedient to legislate.

The resolution was adopted.

The Special Order for 11:01 on HB 247, changing the name of Shaw's Pond in the town of Durham to Pleasant View Lake, was taken from the table.

The question being on the resolution of the committee that the bill was Inexpedient to Legislate.

The resolution was adopted.

### **Report of Engrossed Bills Committee Under Joint Rule No. 6**

SB 40, to provide for payment of compensation of deceased legislators, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Legislators. Amend RSA 14 by inserting after section 27 the following new section: 14:27-a Deceased Members Compensation. In the event a member of the general court shall die after being sworn and while the general court is in regular session, the treasurer is directed and authorized to pay, upon demand and filing of a certificate of death with the secretary of state, to the surviving spouse, and if there be none, to the estate of such deceased member the balance of his compensation.

\* \* \*

On motion of Mr. McMeekin of Haverhill the House concurred in the amendment.

### Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 137, An act relative to passenger tramways.

HB 199, An act relative to the classification of a highway in the town of Goffstown and the city of Manchester.

HB 257, An act relative to railroad-highway grade crossings.

HB 496, An act legalizing the proceedings at the annual town meeting and annual precinct meeting in Farmington.

SB 16, An act relative to sales of liquor and beverages by restaurants.

SB 39, An act relative to fees for recording and discharging liens for internal revenue taxes.

HJR 15, Joint Resolution in favor of the Valley Forge memorial.

HJR 16, Joint Resolution providing supplemental appropriation for school building aid.

Mrs. Potter of Northumberland  
Mr. York of Concord

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 251, relative to ice fishing.

### Amendment to HB 251

Amend paragraph (2) of section 1 of the bill by striking out in lines seventeen and eighteen of the bill the words "at Great Bay, Little Bay, and the Piscataqua River" so that said paragraph as amended shall read as follows:

(2) Any owner of a smelt shanty or bob house who shall allow said structure to remain on the property of another per-

son for more than thirty days after ice out state-wide, or thirty days after April first without first obtaining written permission to do so, shall be fined not more than twenty five dollars, and the fish and game department may claim such property and contents thereof and sell at a public auction to be held at the discretion of the director, or, if of no value and the owner cannot be apprehended, said structure and its contents may be destroyed.

\* \* \*

On motion of Mr. London of New London the House non-concurred in the Senate amendment and the Chair was authorized to appoint a committee of conference.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 124, providing a penalty for falsely reporting a bomb scare.

### Amendment to HB 124

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Explosive. Amend RSA 572:49 (supp) as inserted by 1955, 116:1 by striking out the same and inserting in place thereof the following: 572:49 False Reports of Crime. Whoever, knowing the same to be false, makes or causes to be made a false alarm or a false report of crime or that an explosive or other dangerous substance threatens the safety of any person, persons or property, shall be punished by a fine of not more than one hundred dollars or imprisoned for not more than six months.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 78, An act legalizing the proceedings of the annual school district meeting held in the town of Landaff on March 12, 1963.



SB 80, An act relative to a five day week for the city of Manchester police department.

SB 71, relative to filling vacancies in the office of United States Senator.

SB 66, An act to require notation of line agreements.

SB 70, An act authorizing the adoption of fire protection codes by cities.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 78, legalizing the proceedings of the annual school district meeting held in the town of Landaff on March 12, 1963.

Mr. Brummer of Lisbon moved that reference to committee on SB 78 be dispensed with and that the bill be ordered to a third reading at the present time.

The motion was adopted.

At the request of Mrs. Frizzell of Charlestown, Mr. Brummer explained the bill.

The bill was ordered to a third reading.

### **Introduction of Senate Bills (continued)**

SB 80, relative to a five day week for the city of Manchester police department, laid on the table for printing and referred to Manchester Delegation.

SB 71, relative to filling vacancies in the office of United States Senator, to Judiciary.

SB 66, to require notation of line agreements, to Judiciary.

SB 70, authorizing the adoption of fire protection codes by cities, to Municipal and County Government.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 89, relating to the exemption from property taxes of certain parts of the state airways system.

HB 123, relating to trailers.

HB 199, relative to the classification of a highway in the town of Goffstown and the city of Manchester.

HB 257, relative to railroad-highway grade crossing.

HJR 15, relative to Valley Forge Memorial.

HJR 16, providing supplemental appropriations for school building aid.

HB 496, An act legalizing the proceedings at the annual town meeting and the annual precinct meeting in Farmington.

HB 100, An act providing for the assessment and collection of a special head tax for state purposes.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

HB 137, An act relative to passenger tramways.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 222, An act relative to reporting certain shortages of funds and the President has appointed as members of said Committee on the part of the Senate: Senator Holmes and Senator Paquette.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

SB 78, legalizing the proceedings of the annual school districts meeting held in the town of Landaff on March 12, 1963, was read a third time, passed, and sent to the Secretary of State to be engrossed.

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence.

HJR 13, in favor of Mount Washington Observatory,

HB 243, relative to investment of school district funds.

HB 507, relative to printing ballots.

HB 279, relative to penalty for escape from houses of correction.

HB 104, relative to advisory commission and transfer of powers under the department of health and welfare, was read a third time.

Mr. York of Concord moved that HB 104 be indefinitely postponed.

Mr. McMeekin of Haverhill spoke against the motion.

Mr. York of Concord spoke in favor of the motion.

The motion to indefinitely postpone HB 104 was not adopted.

The question now being, shall the bill pass.

HB 104 was passed and sent to the Senate for concurrence.

### Reconsideration

Mr. McMeekin of Haverhill, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 104 and spoke against the motion.

Mrs. Clark of Lee spoke in favor of the motion.

The motion to reconsider HB 104 was not adopted.

Mr. Morse of Enfield requested a quorum count.

The quorum count was taken and 255 members were present.

The Chair announced that this number did not constitute a quorum.

The Chair then renewed the question on the motion to reconsider HB 104, and further announced that a two-thirds majority would be necessary on the motion.

On a division vote taken, 29 members having voted in the affirmative and 198 in the negative, the motion to reconsider did not prevail.

### Attache Appointment

Winthrop P. Caswell, Temple, was appointed Supervisor of the Public Address System in the House.

\* \* \*

On motion of Mrs. Hayward of Hanover the House adjourned at 1:15 P.M.

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WEDNESDAY, MAY 1, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

Almighty God, today our thoughts are focused upon Thy divine concepts of "loyalty" and "law" — their application, their functions, and their rewards. In wisdom Thou hast taught us the value of loyalty to the high ideals of honest and sincere patriotism. Preserve our national witness through these years of doubt, indecision, and apathy by the renewing of our faith and trust in Thee. We would, in our thoughts, give honor today to those who have dedicated their lives in the service of law for our understanding and edification. May our sense of responsible justice be strengthened through our appreciation of Thy Divine Laws and through our efforts to pattern our lives in accordance to Thy Holy Will. Grant unto us, through our legislative action, the opportunity to create laws that shall be like unto Thy promised Kingdom; that we may honor Thee in our love, our justice, and our mercy. Grant Thy continued blessing upon our Executive, Judicial, and Legislative agencies in their efforts of co-ordinated service — In Thy Name we approach Thy Divine Presence, Amen.

### Pledge of Allegiance to the Flag

Mrs. Gagnon of Berlin led the Convention in the Pledge of Allegiance to the Flag.

### **Introduction of Guests**

The Chair announced the following groups as guests of the House today:

A group of 6th, 7th and 8th grade students from the Moultonboro Central School, courtesy of Speaker Lamprey.

A group of 7th and 8th grade students from the Public School and Sacred Heart School from Greenville, courtesy of Mr. Taft of Greenville.

A group from the Belknap County Federated Republican Club, courtesy of the Belknap County Delegation.

### **Special Guests in Observance of Law Day**

The following distinguished guests were announced by the Sgt.-at-Arms and seated at the Joint Convention:

The Chief Justice and the members of the Supreme Court, and the Chief Justice and members of the Superior Court of New Hampshire, the Attorney-General of New Hampshire, and the President of the New Hampshire Bar Association.

### **Guest Speaker**

The Chair introduced the Honorable Edward W. Brooke, Attorney-General of the Commonwealth of Massachusetts. Attorney-General Brooke delivered an address to the Joint Convention in commemoration of Law Day.

\* \* \*

On motion of Senator Rainie of the 15th District the Convention rose.

### **House**

The member from Greenville, Mr. Taft, moved that the address of Attorney-General Brooke be printed in the Journal.

The motion was adopted.

The Chair announced that the address would appear in the Journal at an early date.

### **Leave of Absence**

Mr. Lambert of Hooksett was granted leave of absence for the day on account of illness.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 559, relative to fees to be charged for recording in the office of the register of deeds for Rockingham county. (Greene of Rye) to Rockingham Delegation.

HB 560, authorizing the construction of a civil defense emergency operating center by the county of Rockingham. (Wheeler of Exeter) to Rockingham Delegation.

HB 561, relative to liens against property of recipients of direct relief from towns and counties. (Wheeler of Exeter) to Judiciary.

HB 562, affecting state employees required to be on stand-by duty. (Coutermarsh of Lebanon) to Executive Departments and Administration.

### Committee Reports

HB 467, relative to use of bond proceeds and temporary loans under municipal finance act, Mr. Morrill of Salem for Municipal and County Government. Ought to pass with amendment.

### Amendment to HB 467

(The proposed committee amendment will appear in the Journal for Tuesday, May 7th)

\* \* \*

Mr. Hill of Conway moved that HB 467 be made a Special Order of business for Thursday, May 9, at 11:01 and spoke in favor of the motion.

The motion was adopted.

(Mr. Peterson of Peterborough in the Chair)

HB 516, relative to penalties for violation of meter parking at Hampton Beach, Mr. Stafford of Portsmouth for Municipal and County Government. Ought to pass with amendment.

**Amendment to HB 516**

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

Mr. Tuttle of Dover moved that the rules of the House be so far suspended as to dispense with the printing and public hearing on HB 558, relative to the time of inserting articles in town warrants, and spoke in favor of the motion.

The motion was adopted.

Mr. Tuttle moved that the rules of the House be further suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HB 558, relative to the time of inserting articles in town warrants, Mr. Tuttle of Dover for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

**Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 81, An act relative to Newfound area cooperative school.

**Introduction of a Senate Bill**

SB 81, relative to Newfound area cooperative school, was read a first and second time and referred to Education.

Mr. Plumer of Bristol moved that the rules of the House be so far suspended as to dispense with reference to committee and public hearing on SB 81 and spoke in favor of the motion.

The motion was adopted.

Mr. Plumer of Bristol moved that the rules of the House be further suspended as to order SB 81 to a third reading.

The motion was adopted, and the bill was ordered to a third reading.

\* \* \*

A further Senate message announced that the Senate has voted to adopt the amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 123, An act relating to trailers.

### **Amendment to HB 123**

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1 Definition. Amend RSA 260:23 (supp) as amended by 1961, 41:2 by striking out said section and inserting in place thereof the following:

\* \* \*

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 288, relative to operation of motor vehicles when blind persons are crossing a way.

HB 120, relative to the enforcement of laws concerning cruelty to animals.

HB 269, relative to the amount of annual memberships paid by towns to town officers' associations.

HB 201, relative to exceeding appropriations by county commissioners.

HB 125, relative to purchase exceptions.

HB 162, providing for certain deductions from retirement benefits for policemen.

HB 195, relating to the Gale Home for Aged and Destitute Women.



A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 239, relative to emergency payments by county commissioners.

HB 136, providing for reports to the legislature of filings by lobbyists.

### Communications

April 29

House of Representatives  
Concord, N. H.

A message of gratitude to you all for your comforting expression of sympathy at a time when it meant so much.

Mrs. Leon Littlefield & Family

\* \* \*

April 25, 1963

To Members & Attaches of the House of Representatives  
of the New Hampshire General Court:

In gratitude I acknowledge receipt of the Certificate honoring my beloved husband, H. Furber Jewett. He loved his friends, his work in the House and his country.

His anticipation of each new session, completed his happiness to serve again and again.

May God bless you all, and accept our heartfelt thanks for this great honor.

Sincerely yours,

Mrs. Ethelda Jewett  
H. Furber Jewett, Jr.

\* \* \*

Apr. 29

To the Members of the House of Representatives of the  
General Court of New Hampshire:

With sincere thanks for your thoughtfulness for the tribute paid to my uncle, Charles P. Coakley.

Sincerely,

Katharine J. Toomey

\* \* \*

The Chair announced that the following members had been appointed as conferees on the part of the House for committee of conference on HB 251, relative to ice fishing.

Mr. London of New London

Mr. Welch of Concord

Mr. Vashaw of Berlin

\* \* \*

The Chair announced that today is the birthday of Mr. Cummings of Danville.

Mr. Pickett of Keene announced that today is the 31st wedding anniversary of Mr. & Mrs. McGee of Lincoln.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

SB 81, relative to Newfound area cooperative school, was read a third time, passed, and sent to the Secretary of State to be engrossed.

HB 516, relative to penalties for violation of meter parking at Hampton Beach, was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

On motion of Miss Spollett of Hampstead the House adjourned at 12:22 P.M.

THURSDAY, MAY 2, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Bishop James K. Mathews of the New England area of the Methodist Church as follows:

O Eternal God whom we are bold to call Our Father, we approach thee in humility; for Thou art high above all, yet in all. When we turn from Thee, then it is that we fall. When we turn toward Thee, then it is that we are lifted up. When we abide in Thee, then we may stand fast forever.

We confess that we do not belong to ourselves, but to Thee and to all the people. Deliver us, then, *from* all self-seeking and blindness and indecision. Deliver us *to* a fuller sense of responsibility which reaches beyond merely pleasing ourselves or pleasing the people, but which seeks to please Thee.

Grant to the Governor of this State and to those who frame its statutes, that wisdom which cometh only from above; that knowledge which cometh only to those who are devoted to its pursuit; and that freedom which cometh only to those who possess a good conscience. These things we pray that liberty, justice, harmony and well-being may prevail and progress in the common life of our citizens. These petitions we make in the name of the one who came to serve and not to be served, even Jesus Christ, our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Allan of Meredith led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of Soap Box Derby Boys from the state, courtesy of the Representatives.

A group of 8th and 9th grade students from Oyster River School, courtesy of the Durham Delegation.

A group of 6th grade students from Meredith School, courtesy of Mr. Allan of Meredith.

### Leaves of Absence

Mr. Merrill of Hampton Falls was granted a leave of absence for two weeks on account of important business.

Mrs. Blanchette of Dover and Messrs. Moran of Manchester, O'Neil of Chesterfield and Smith of Dover were granted leave of absence for the day on account of important business.

### Committee Reports

HB 378, relative to reporting after motor vehicle accident, Mr. Wheeler of Exeter for Insurance. Inexpedient to legislate.

Mr. Matheson of Center Harbor moved that HB 378 be made a Special Order of business for 11:01 on Wednesday next and spoke in favor of the motion.

The motion was adopted.

HB 362, relating to minors, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

### Amendment to HB 362

Amend section 1 of the bill by inserting after the word "vehicle" in the fifth line the words, if emancipated and over the age of eighteen years, so that said section as amended shall read as follows:

1 Certain Contracts. Amend RSA 507 by inserting after section 8 the following new section: 507:8-a Contracts for Purchase of Automobiles. In a suit founded upon a contract for the purchase and sale of a motor vehicle, if emancipated and over the age of eighteen years, the infancy or minority of the defendant shall not be a defense.

\* \* \*

The undersigned, a minority of the Judiciary committee, Inexpedient to legislate.

Harry Spanos of Newport  
Armand Capistran of Manchester  
Robert E. Plourde of Pembroke  
Daniel J. Healy of Manchester  
Robert W. Moran of Manchester  
Margaret Normandin of Laconia  
Caroline Grey of Canaan

Mr. Totman of Alstead explained the bill.

Mr. Spanos of Newport moved that further consideration of HB 362 be indefinitely postponed and spoke in favor of the motion.

Mr. Capistran of Manchester spoke in favor of the motion.

Mrs. Grey of Canaan spoke in favor of the motion.

The motion was adopted and HB 362 was indefinitely postponed.

HB 430, providing for control of aquatic nuisances on Lake Winnisquam, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

HB 430 was referred to Appropriations under the Rules.

SB 38, to prohibit the use of power boats in the White Mountain National forest, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 120, An act relative to the enforcement of laws concerning cruelty to animals.

HB 162, An act providing for certain deductions from retirement benefits for policemen.

HB 201, An act relative to exceeding appropriations by county commissioners.

HB 269, An act relative to the amount of annual memberships paid by towns to town officers' associations.

HB 288, An act relative to operation of motor vehicles when blind persons are crossing a way.

SB 78, An act legalizing the proceedings of the annual school district meeting held in the town of Landaff on March 12, 1963.

SB 81, An act relative to Newfound area cooperative school.

HB 123, An act relating to trailers.

HB 125, An act relative to purchase exceptions.

Mrs. Potter of Northumberland

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 375, An act relative to veterinarians.

### Amendment to HB 375

Amend said bill by striking out section 5 and inserting in place thereof the following: 5 Takes Effect. This act shall take effect upon its passage.

\* \* \*

On motion of Mr. Adams of Madbury the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HJR 17, Joint resolution relative to an inventory of real property owned by the state.

### Amendment to HJR 17

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the comptroller is hereby directed to make, and keep current as hereinafter provided, an inventory of all real property owned or held by the state, whether outright or in trust, excluding, however, lands or rights in land acquired for highway rights-of-way. Such inventory shall show the location of each tract of land and a description thereof in terms sufficient to identify it, although deed descriptions need not be used unless the property can be identified in no other way. Refer-

ence will be made to the record of the title of each tract by deed reference or other convenient way and the method of acquisition will be indicated. Improvements will be described, and the extent of each tract will be stated. The purpose for which each tract was acquired shall be set forth, as well as the use to which the same is currently put. Each department and agency of the state, including the University of New Hampshire, having real property under its jurisdiction shall cooperate with the comptroller in the preparation and revisions of said inventory, and shall furnish him such information concerning such real property as he shall request. Such inventory shall be completed on or before January 1, 1965, and shall be revised and made current by the comptroller from time to time at intervals not exceeding two years. The inventory and the revisions thereof shall be filed and retained in the office of the secretary of state, and copies thereof shall be filed with the governor, the president of the senate and speaker of the house.

\* \* \*

On motion of Mr. McMeekin of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 57, An act authorizing towns and cities to provide life and health insurance for their employees.

#### **Amendment to HB 57**

Amend the title of the bill by striking out therein the word "its" and inserting in place the word, their, so that said title as amended shall read as follows: An Act authorizing towns and cities to provide life and health insurance for their employees.

\* \* \*

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

HJR 31, Joint resolution providing for a deficiency appropriation for the state hospital.

HB 181, An act relating to the purchase of data processing systems by insurance companies.

HB 212, An act authorizing the use of the name New Hampshire Life Insurance Company.

### Resolutions

Mr. Vachon of Manchester offered the following Resolutions:

*Whereas*, May 1st of every year has been designated by the Congress of the United States as National Loyalty Day, and

*Whereas*, there exists in the world Communism and other subversive activities which are so detrimental to our principle of freedom, and

*Whereas*, our Governor, His Excellency John W. King, has issued a Proclamation for Loyalty Day, May 1st, therefore be it

*Resolved*, That we, the members of the House of Representatives of the General Court of New Hampshire, most heartily agree with our Governor in all that his Proclamation states and particularly to show our undivided devotion to our Government and our way of life, and be it further

*Resolved*, That we participate in Loyalty Day celebrations, particularly in our display of our country's flag, and be it further

*Resolved*, That a copy of these Resolutions be sent to His Excellency, John W. King.

The resolutions were adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of a bill be by title only, and that when the House adjourns today it be in memory of General John Green of Exeter and to meet next Tuesday morning at 11:00 A.M.



**Afternoon Session****Third Reading**

SB 38, to prohibit the use of power boats in the White Mountain National Forest, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

On motion of Mrs. McDonough of New Castle the House adjourned at 11:58 A.M., in memory of General John Green of Exeter.

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TUESDAY, MAY 7, 1963

The House met at 11:00 A.M.

**Joint Convention**

Prayer was offered by Guest Chaplain, Reverend George D. Chapman, from the Rindge Congregational Church as follows:

Almighty Father, from whom cometh every good and perfect gift, be with us who are here assembled to provide the machinery of government for the people of our state. May we truly represent them in this endeavor, forgetting all self-interest, all self-gain, and all self-aggrandizement. Most important of all, may we be true representatives of thee in all that is said and done here today. In Jesus' name and for his sake we offer our prayer. Amen.

**Pledge of Allegiance to the Flag**

Messrs. Allen of Rindge and Guest of Cornish led the Convention in the Pledge of Allegiance to the Flag.

**House****Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of 8th grade students from Barrington, courtesy of Mrs. Berry of Barrington.

A group of 7th and 8th grade students from Cornish, courtesy of Mr. Guest of Cornish.

A group of students from Nute High School in Milton, courtesy of Mrs. Dawson of Milton.

A group from the Junior class of Interlakes school in Meredith, courtesy of Mr. Matheson of Center Harbor.

A group from the Sociology class at Somersworth High School, courtesy of the Somersworth Delegation.

A group from the civics class from Wilton High School, courtesy of Mr. Heald of Wilton.

### Leaves of Absence

Messrs. Pinkham of Northwood and Shea of Keene, Ward 1, were granted leave of absence for the day on account of important business.

Mr. Rousseau of Manchester was granted leave of absence for the day on account of illness.

Mr. Clark of Kingston was granted leave of absence for the day on account of a death in the family.

Mr. Boutin of Benton was granted leave of absence for the week on account of important business.

\* \* \*

Mr. Bernier of Manchester was granted leave of absence for today and Wednesday on account of important business.

Address delivered to the Joint Convention on Wednesday, May 1 by the Honorable Edward W. Brooke, Attorney-General of Massachusetts.

*Attorney General Brooke:*

Thank you Mr. Speaker for the very warm introduction.

Reverend Clergy; Your Excellency, Mr. King; Mr. Chief Justice of the Supreme Court, Mr. Kenison; and of the Superior Court, Justice Leahy; President of the Senate, Dunlap; Speaker of the House, my very warm friend, Mr. Lamprey; Honorable members of the Legislature, both of the deliberat-

ing branches; Honorable Justices of the Supreme and Superior Court; Young students in the gallery; Friends of New Hampshire. —

I am very greatly and deeply honored by this invitation extended by this august body to address you on this occasion. I bring you the greetings of the Commonwealth of Massachusetts, and its more than five million citizens who express to you their warm appreciation for the friendship that has existed between our two states for so many years.

I am not one to tell stories, but I feel that on this occasion perhaps one may be permitted, perhaps even apropos. It has to do with a group of boyscouts who were to enter the woods and the Scoutleader said to them prior to their entry that he should give them some advice concerning possible snakebite. He said, "If you are bitten in the left arm by a snake, you should immediately take out your jackknife, make an incision and suck out the poisonous blood". There was an inquisitive young scout in the back who said, "Mr. Scoutleader, suppose the bite is in the back?" There was a long and an ominous silence, and the Scoutleader said, "That's when you find out who your friends are".

By the warm reception I have received since I have entered this building, by the warmth of the invitation extended me, by the wonderful invitation extended by your Attorney General, Bill Maynard for whom I have such great respect, I know that I am here with friends.

Today is May Day. Across the Communist world there will be celebrations, demonstrations inspired by those who believe in the Communist way of life. They will parade their missiles and flex their muscles, and generally there will be a show of strength in Communist dominated countries throughout the world on this our first day of May.

With gratitude to the American Bar Association which sponsored Law Day here in the United States, we celebrate May Day, May the 1st, as Law Day, U. S. A. It is a fitting comparison between the two philosophies — one of the Communist on the left, and Democracy on the right — in the manner in which we celebrate the 1st of May. This is a day in the United States when we stop and pay, as your speaker has said, our respect for the law which governs our daily life.

Our great Commonwealth of Massachusetts was the sixth state to ratify the great Constitution of the United States. Your state was the ninth state, and by ratifying the Constitution, your state put into reality the "American Dream" for that was the vote for the ratification which put into effect the Constitution, being the ninth of the thirteen original colonies. And so you must be justifiably proud of your rich heritage and of the great contribution that the people from the "Granite State" have made in the law in these United States of America.

Now, law is not something that is contained in the buckram bound volumes of the dusty shelves. Law is not merely a compilation of the statutes. Law is living, it is changing constantly as civilization advances. The courts are constantly keeping abreast of the great scientific and technological advancements that are being made in the world today. Ours is a great nation because of the laws that we have. But other nations have laws; the tribal nations have laws, but there is not always the respect for law and order that we have been able to keep in these United States of America. There is not the communication between the branches of government and the people in other countries such as those under the Communist regime as there is here in the United States. There the governed are talked down to by those who govern, but there is no debate. There is no exchange of ideas. There is no two-way communication or rapport whatsoever.

In our great nation we have debate, we have communication, and those of us who serve in political office have the great opportunities to talk to people, thousands of people in the course of our terms of office. But more importantly, we have the opportunity to listen to people — to listen to their problems, to the problems of housing, of feeding, of clothing, of retirement, to the problems of young people, of education and of recreation — and with these problems we are constantly through our processes making law to cope and to deal practically as well as idealistically with those problems.

Oh, the majesty of the law has often been talked about. We can be idealists, but we must be pragmatists as well. We must look to the practical aspects of the law as well as to the idealism of the law, and we should be proud of the many

that we have attained in our form of government. We should be grateful for the great division that we have, the executive, the legislative and the judicial divisions of government; each communicating with the other, each respecting the other, neither usurping the powers and responsibilities of the other. It is a wonderful experience for it is an experience too many people in the world do not have today.

I know that I come on a day of some great significance, particularly significant to your legislative branch of government. I know that you have probably had very serious and sometimes heated and perhaps even violent debate on your House Bill 47. There were those who were strongly opposed to the measure you have adopted. There were those of you who were strongly in favor of that measure, but now history has been made and the law has been enacted by the legal process that has been adopted. Your Governor, acting in his wisdom, has signed into law, which is his function as the chief executive of this great state, House Bill 47.

It may take some time before the world or even you are able to assess the benefits, the assets, the liabilities of this legislation. This is true, I submit to you most respectfully, of any legislation. But be that as it may, House Bill 47 is now law, and it is incumbent on all law enforcement offices of this state to enforce the law that this legislature, and your Governor signs into law as adopted. Regardless of whether you like it or whether you do not, it is the law. If you feel so strongly about it and you wish to change it, we also have, thank God, in this United States, procedures by which you can do so; but until you do so, you must respect it as law. If we don't stand for that, we stand for nothing. For this is the real strength of our society. This is the meaning of law. If we had laws which were only obeyed by those who agreed with them, I submit to you most respectfully that we would have a society of chaos, that the democratic way of life would not prevail.

So my word only on this question then, believe me I have been literally plagued since yesterday when your Governor signed the law, with telephone calls about what Massachusetts would do about New Hampshire law, with what Maine has done about New Hampshire law, about what the Federal Government will do about New Hampshire law.

Well, we have so many problems in Massachusetts that we don't intend to get involved in your problems in New Hampshire. I have always believed that we should respect the laws of a sister state. Massachusetts, without any question in my mind, will respect your law. Because of the proximity of our two states, we have had problems even perhaps dating back to colonial days; but we have always been able to solve those problems within the confines of the law. There is no question in my mind that we will continue to solve those problems. I anticipate no problems at all whatsoever with the laws that you pass in your State of New Hampshire, and I assure you that there are those in our state who believe as you did, those who are on the proponent side of the aisle; we have those on the opponent side of the aisle. This is the great and wonderful fact that exists in any great deliberative body.

With these opportunities, and let me say to the young people that sit in the gallery, that you have such wonderful opportunities today: Your goal is wherever you make it. You will have to decide early in your life which road you will take. You may not remember much of what I say to you, but I do want to leave you with this thought — that there are no shortcuts to glory, that the men and women that you see sitting in this great hall and on this great rostrum are men and women who have prepared themselves in one way or the other for the positions that they now hold. Like a lawyer says "there is no substitute for preparation in the trial of a case", there is no substitute for preparation in any course of life which you may decide upon as your own.

To those of you who are young ladies, let me say that things are much brighter than they used to be, that you are outvoting the men of the nation now by two million and four thousand votes. In the last fifteen years, the women have increased their earning capacity by fifty percent; they outlive the men by seven years; and they outspend us by four hundred percent — and I might add as dictum that much of that four hundred percent, of course, is our money. Women now comprise one third of the nation's work force. It costs eight billions of dollars to clothe them, and one and three tenths billions of dollars to preserve them. Your comforts have been well taken care of, because you're pushing buttons to do more and more things every day. But you too have a great responsibility because women are serving in the legis-

latures I see here in your great state, in the Congress of the United States and more and more are taking their active roles in the affairs of government.

So these opportunities are great, for men and for women, for boys and girls alike. But with every opportunity there comes a responsibility — a great responsibility — and I trust that on Law Day, U. S. A. in 1963 we will ask the electorate to become more and more aware of the issues of government today; to communicate more and more with the elected leaders of government; to not reserve the best brains and the best integrity and society for the trades, the industries and the professions; and to give to government and to politics some of this best brain and best integrity. For if we do not, we will have a choice of poverty instead of a choice of riches. Your responsibility is to censure when public officials do wrong, but your responsibility is also to encourage when your public officials do that which is right. Censure is good, but encouragement is better. Encouragement after censure is like the sun after a shower. You should let your elected officials know how you feel about their votes, about the conduct of their office whether they be elected or appointed officials in government.

On this Law Day we must also ever keep at a place in our society the great majesty of the judiciary — untinted in any respect, always above reproach, those men who serve in the judiciary who have to interpret the laws that are made by these legislators. When a man does wrong in the legal profession, it hurts the entire legal profession. We must at all times maintain this high ethical standard of conduct.

There is another piece of legislation which goes into effect on this May Day, U. S. A., and I refer to the conflict of interest legislation which has been passed by the great and general court in our Commonwealth. The effective date is today. At 12:01 this morning, it became law. There are many who were not in favor of this legislation. Obviously, there were those who were. It is the best piece of legislation of this type that I have ever read. It is a bipartisan effort. It is a piece of legislation which I commend to the legislature of New Hampshire for your perusal and your study.

The drafting of conflict of interest legislation is not simple in any manner. You must recognize that we do need

men and women in government today with unique talents. Government is growing so big and so large — much larger than any of us would like it to be, certainly much larger than I personally would like to see it — but in this government we must recognize the need for talent from men and women of industry, of trades, of professions — men and women who have vested interests in corporations and in other concerns.

This legislation is not to dwarf personnel staffing in a sea of moralism, but on the other hand we cannot sacrifice the standards of conduct. We have found in many instances that heinous crime, as you know it, of larceny is not so prevalent today; that men have learned to steal in a more sophisticated, subtle area, if you please, an area which reflects itself into increased taxes in the state — men who would use their public office in order to reap personal profits. It was with this in mind that this conflict of interest legislation was drafted and subsequently passed.

There was a cry, a hue from all corners of the State, that we were legally trying to rule out people from serving in government. Without getting into the legal part of the law, let me merely say to you this goes back beyond the Sermon on the Mount to Plato's philosophy — "Kings" — which only preaches that you cannot serve two masters — that a man should not be in a public office where he can throw a contract to a corporation in which he just happens to own seventy-five percent of the stock interest. He may say to you that there is nothing wrong with the transaction, that his personal interests have not adversely affected his public trust and his public responsibility. But the experience of centuries would indicate that the contrary is more likely, and that man should not be placed in such a position; and even more important is the fact that the confidence of the public in government must always be maintained at the highest level. Every government depends upon the confidence of its people. This is more true in a democracy than in any form of government.

And so I ask you in New Hampshire, particularly those of you who serve in this great legislative body, to examine our conflict of interest law, give us constructive criticism. We do not profess to say to you that this is perfect legislation. We merely say we believe it is a step in the right direction.



We would agree that we perhaps cannot legislate morality, but we can build in the deterrants and the safeguards and the protection, and we can close up the loopholes that make it so difficult if not impossible for a man to operate. Our emphasis in Massachusetts now is not only individual; it is on the sin, not the sinner.

I take no pride in the conviction of men, but I take no pride in the circumstances which cause the conviction of men. The Attorney General is not a persecutor, at best he is a prosecutor; but we have always in our investigations concluded them by making recommendations to the legislature calling for remedial legislation where we have found these loopholes. For men will come and men will go, and what we need do is to change the system. I trust that this will be given some consideration by you.

I read in history as you have read in history about the vitality of the two-party system in our United States of America. I am a Republican and a Republican by choice, but not a blind Republican who cannot see and hear the problems of people. Oh, I know historically that the Republican Party has been called the Party that was affiliated with the English who first inherited this great land, and that later the Democratic Party historically was considered the Irish who subsequently came over. But, if the clerk of this great legislature were to call the role here as he would in Massachusetts, you would now find people who have come from all countries around the world bringing into the great United States of America, their cultures, their training, their beliefs, their hopes and their desires; that the two great political parties of this country can no longer represent any one group or inherent beliefs or traditions alone, but they are made up of people who have basic political philosophies and such is as it should be. This is the true American way, this is the law, this is what this great nation stands for.

I feel so deeply the honor that you have given me to make these brief remarks to you on this occasion. I know that I have perhaps said nothing new to most of you. If I can only pray and hope that I have provoked some thought in your minds and in the minds of the young people who sit in your gallery today, then my visit to your great state will certainly have been worthwhile from my point of view. I

hope to come back to New Hampshire. I look forward to my association with your Attorney General and his staff. I have been honored by my great state, some people say uniquely honored, in holding the high office of Attorney General; an office which no man should hold because of its vast powers, without humility, without understanding and without compassion. I pray daily that I will have all three of those essential ingredients to perform my daily task.

I go back to Massachusetts and take with me the warmth of your reception; but before concluding I would like to give you some words from an old hymn which I learned early in my youth and which have never left me, which to me means where we are headed, the "American Dream" is the dream of people. This hymn is entitled "These Things Shall Be". —

"A greater race in e're the world has known shall rise  
With freedom in their souls, and the light of knowledge  
in their eyes.

They shall be gentle, brave and strong to spill no drop  
of blood, but dare

All that may plant man's lordship firm on earth, fire, sea  
and air.

Nation with nation, land with land, unarmed shall live  
as brothers free,

And every heart and brain shall throb the pulse of one  
fraternity."

My prayer to you, my good friends of New Hampshire, is — May God give you strength and courage to be truly the masters of yourselves, so that you may be truly the servants of others. May He take your lips and speak through them, may He take your minds and think through them, may He take your hearts and set them on fire.

Thank you.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 563, for the establishment of authorized regional enrollment (AREA) schools and creating the New Hampshire school building authority. (Pappagianis of Nashua) to Education.

HB 564, to establish the law of comparative fault. (Capistran of Manchester) to Judiciary.

HB 565, to revise the law relating to cooperative school districts. (O'Neil of Chesterfield) to Education.

HB 566, relative to beagle field trials. (Welch of Concord and LaFrance of Manchester) to Fish and Game.

HB 567, relative to notices for caucuses. (Spanos of Newport) to Municipal & County Government.

HB 568, relative to the state song. (Smith of Plymouth and Mrs. Hampson of Hebron) to a special committee consisting of Mr. Angus of Claremont, Mr. Pickett of Keene, and Mr. Hughes of Brookfield.

HB 569, relative to aid for emotionally disturbed children. (Mrs. Thompson of Northfield) to Education.

HB 570, relative to transporting garbage or waste into this state. (Messrs. Morrill of Salem and Hill of Conway) to Public Health.

HB 571, relative to education expenses for dependent children, to be financed by an increase in the tobacco tax. (Stevens of Epsom) to Joint Committees consisting of Ways and Means and Education.

HB 572, relative to reconstituted beer. (Angus of Claremont) to Liquor.

HB 573, relative to service exemption from taxation. (Morrill of Salem) to Ways and Means.

HB 574, relative to the stock in trade tax. (Bingham of Concord) to Ways and Means.

HB 575, relative to ranks and qualifications of personnel of division of state police. (Rules Committee — Smith of Plymouth) to Exec. Depts. & Administration.

HB 576, relative to appointment of assistant election officials in towns. (Rules Committee — Bednar of Hudson) to Municipal and County Government.

HB 577, relative to building codes. (Morrill of Salem) to Exec. Depts. and Adm.

HB 578, relative to safety and health of employees. (Margaras of Dover) to Public Health.

### Committee Reports

HB 238, relating to the duties of the bank commissioner, Mr. Bigelow of Warner for Banks. Inexpedient to legislate.

The resolution was adopted.

SJR 10, in favor of Bertha F. Masson, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The resolution was ordered to a third reading.

HB 451, relative to the compensation of the director of aeronautics, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### Amendment to HB 451

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Director of Aeronautics. Amend RSA 94:1 (supp), as amended, by striking out the words and figures "Director of aeronautics \$7,765.16 \$8,831.16" and by inserting in place thereof the words and figures, Director of aeronautics Minimum, \$10,000.00; Maximum, \$11,000.00.

2 Appropriation. In addition to any other appropriation made in the appropriation act for the salary of the director of aeronautics, there is hereby appropriated the sum of \$1,275.00 for the fiscal year ending July 1, 1964 and \$1,475.00 for the fiscal year ending July 1, 1965. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

3 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

The amendment was adopted and the bill was referred to the committee on Appropriations under the Rules.

HB 535, eliminating the office of farm supervisor and providing for an additional assistant business supervisor, Mr. Smith of Plymouth for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 167, relative to the cancellation of accident and health insurance policies, Mr. Wheeler of Exeter for Insurance. Inexpedient to legislate.

Mr. Maloomian of Somersworth moved that HB 167 be recommitted to Judiciary for further study and spoke in favor of the motion.

Messrs. Wheeler of Exeter and Varney of Rochester spoke against the motion.

The motion was not adopted.

The resolution of the committee was adopted.

HB 494, relative to the compensation of state employees engaged in snow removal, Mr. Dumont of Berlin for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 494**

Amend said bill by striking out section 2. Further amend said bill by renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 420, extending the appropriation for marriage counseling referral service, Mr. Pappagianis of Nashua for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 157, relative to the construction of a residence hall at the University of New Hampshire, and to be liquidated from income, Mr. Gove of Concord for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 512, abolishing the state recreational fund and relative to state financing, Mr. Goode of Manchester for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HJR 29, providing additional funds for cancer commission, Mr. Bell of Plymouth for Appropriations. Ought to pass.

The resolution was ordered to a third reading.

HB 392, relative to the sale of insurance in connection with real estate transactions, Mr. Davis of Greenfield for Insurance. Ought to pass with amendment.

### **Amendment to HB 392**

Amend the title of said bill by striking out the words "real estate" and inserting in place thereof the word, certain, so that said title as amended shall read as follows. An act relating to the sale of insurance in connection with certain transactions.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 383 the following new chapter:

#### **Chapter 383-A**

##### **Prohibited Practices.**

383-A:1 Free Choice of Insurer and Agent. When any person, firm or corporation engaged in the business of lending money on the security of real or personal property, or in the business of negotiating, purchasing, selling or holding loans on the security of such property, or in the business of building, selling or financing the sale or purchase of such property, or any trustee, director, officer, agent, or other employee of any such person, firm or corporation, requires that property insurance be obtained in connection with the sale of such property or a debt or loan secured by such property, the borrower, debtor or purchaser shall have free choice of agent and insurer through or by which such insurance is to be placed or written, subject only to the right of the builder, creditor, lender or seller (1) to require evidence, to be produced at a reasonable time prior to commencement or renewal of risk, that such insurance providing reasonable coverage has been obtained in an amount equal to the amount of the debt or loan and will not be cancelled without reasonable notice to the builder, creditor, lender or seller, (2) to require insurance in an insurer authorized to do business and having a licensed resident agent in this state, and (3) to refuse to accept insurance in a particular insurer on reasonable ground related to solvency.

383-A:2 Information To Be Furnished. Every debtor, borrower or purchaser of property with respect to which insurance of any kind is required in connection with a debt or loan secured by such property or in connection with the sale of such property, shall be informed in writing by the builder, creditor, lender or seller of his right of free choice in the selection of the agent and insurer through or by which such insurance is to be placed. There shall be no interference either directly or indirectly with such borrower's, debtor's or purchaser's free choice of an agent and of an insurer which complies with the foregoing requirements, and the builder, creditor, lender or seller shall not refuse the policy so tendered by the borrower, debtor or purchaser. Upon notice of any refusal of such tendered policy, the Commission shall order the builder, creditor, lender or seller to accept the tendered policy, if he determines that such refusal is not in accordance with the foregoing requirements. Failure to comply with such an order of the Commissioner shall be deemed a violation of this section.

383-A:3 Separate Charges. It shall be unlawful for any mortgagee, vendor, holder, or lender in connection with any insurance required as additional security for a loan on real or personal property to make any separate charge to either an insurance company, insurance agency, borrower, mortgagor or purchaser other than the insurance premium on insurance written in connection with such transaction according to law; provided, that the term "separate charge" as used in this act shall not include the interest which may be charged on premium loans or premium advancements in accordance with the security instrument.

383-A:4 Scope of Terms. Whenever the words "mortgagee", "vendor", "lender", or "holder" are used herein, it shall also mean all agents, officers, employees, representatives or assigns of said mortgagee, vendor, lender, or holder.

383-A:5 Transactions Excluded. Nothing in this chapter shall be construed as preventing a mortgagee, lender, vendor, or holder from requiring insurance on the collateral for any financial transaction that is not otherwise specifically prohibited by law and exercising a reasonable privilege of approval or disapproval of the insurance provided for such purpose by the borrower, mortgagor or purchaser.

383-A:6 Penalties. Acts which prevent the exercise of the aforesaid right of free choice are hereby forbidden and any

waiver, written or otherwise, by the borrower, debtor or purchaser of said right of free choice shall be void. Any person, firm or corporation, whether as principal, agent, officer or director, for himself or itself, or for another person, firm or corporation violating the provisions of this chapter or aiding, abetting, assisting, advising or encouraging the violation of the provisions of this chapter shall be fined not exceeding one hundred dollars for each such violation.

2 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 27, relative to broadening the scope of the common law doctrine of cy pres, Mr. Upton of Concord for Judiciary. Inexpedient to legislate.

Mr. Capistran of Manchester moved that SB 27 be recommitted to Judiciary for further consideration and spoke in favor of the motion.

The motion was adopted.

SB 36, entering into the Interstate Library Compact enacting the same into law and for related purposes, Mrs. Frizzell of Charlestown for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 422, relative to unlawful use of motor vehicle operator's licenses, Mr. Capistran of Manchester for Judiciary. Ought to pass with amendment.

### Amendment to HB 422

Amend paragraph 1 of section 1 of said bill by striking out the words "or have in his possession any cancelled" in the fifth line and inserting in place thereof the word, any, so that said paragraph as amended shall read as follows:

I. Display or cause or permit to be displayed any revoked, suspended, fictitious or fraudulently altered operator's license or commercial license.



Amend Paragraph II of said section 1 of the bill by inserting after the word "the" in the third line the word, unlawful, so said paragraph as amended shall read as follows:

II. Lend his operator's license or commercial operator's license to any other person or knowingly permit the unlawful use thereof by another.

Amend paragraph III of said section 1 of the bill by adding at the end thereof the words, by proper authority, so that said paragraph as amended shall read as follows:

III. Display or represent as one's own any operator's license or commercial operator's license not issued to him by proper authority.

Further amend said section 1 by striking out paragraph VI.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 464, establishing a consumers' counsel, Mrs. Frizzell of Charlestown for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 473, reducing the time for the presentation of claims in the administration of insolvent estates, Mr. Capistran of Manchester for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 191, relating to commitment to the industrial school, Mr. Upton of Concord for Judiciary. Ought to pass with amendment.

### **Amendment to HB 191**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Exceptions. Amend RSA 621:11 (supp) as amended by 1957, 71:1 by striking out said section and inserting in place thereof the following: 621:11 Minors Under Eighteen. Whenever a minor under the age of eighteen years shall be convicted of an offense punishable by imprisonment he may be sentenced to the industrial school for the term of his minority, except

where said minor is found guilty by the superior court under the provisions of RSA 169:21; provided that nothing shall prevent such sentence being suspended under the provisions of any other law. Pending final disposition of a case by a municipal court the minor may be retained in the custody of the person in charge of the minor, or in the custody of a probation officer, provided however, that if the court places such minor in the custody of the industrial school, final disposition of his case shall be made within thirty days of such commitment and provided further, that where the minor has committed a felony, the municipal court may commit said minor to the custody of the probation officer or require that sureties be furnished for his appearance before the superior court, or in default thereof be committed to the industrial school to await disposition of the case by said superior court.

2 Non-Payment of Fine. Amend RSA 618:6 by adding at the end thereof the words, this section shall not be construed as authorizing the confinement of any juvenile under the age of eighteen years in a house of correction or jail for the non-payment of a fine, so that said section as amended shall read as follows: 618:6 Place of Committal. Any person sentenced to pay a fine shall be ordered to be imprisoned until sentence is performed, or he is otherwise legally discharged, in the house of correction or jail of the county. This section shall not be construed as authorizing the confinement of any juvenile under the age of eighteen years in a house of correction or jail for the non-payment of a fine.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 215, governing nursing home service corporations, Mr. Green of Rollinsford for Public Health. That the bill be referred to the legislative council or legislative services committee.

Mrs. Morrison of Salem arose on a point of information.

'The resolution was adopted.

HB 382, requiring registration for physical therapists, Mrs. Arsenault of Randolph for Public Health. Ought to pass.

Mr. Andersen of Concord moved that HB 382 be made a Special Order of business on Wednesday, May 15th at 11:01 A.M. and spoke in favor of the motion.

(discussion ensued)

Mrs. Hartigan of Rochester and Messrs. Green of Rollinsford, Mahoney of Manchester and Rufo of Concord spoke against the motion.

Mr. Andersen of Concord spoke a second time in favor of the motion.

Mr. Mahoney of Manchester spoke a second time against the motion.

(discussion ensued)

The question being on the motion to recommit HB 382.

The motion was not adopted.

The bill was ordered to a third reading.

HB 510, relative to study for improved pesticides controls, Mrs. Arsenault of Randolph for Public Health. Ought to pass with amendment.

### **Amendment to HB 510**

Amend section 1 of the bill by striking out the words "two of whom shall be persons employed by the water pollution commission" in the eighth and ninth lines and inserting in place thereof the words, one of whom shall be a person employed by the water pollution commission, one a person employed by the fish and game department and one a person employed by the agricultural department of the University of New Hampshire, so that said section as amended shall read as follows:

1 Interim Committee Established. There shall be established an interim committee on improved pesticides controls consisting of five members appointed as hereinafter provided. One member shall be appointed by the president of the senate, one member shall be appointed by the speaker of the house of representatives, and three members shall be appointed by the governor, one of whom shall be a person employed by the water pollution commission, one a person employed by the

fish and game department and one a person employed by the agricultural department of the University of New Hampshire. The committee shall organize by electing one of its members as chairman. It shall be the duty of said committee to study and investigate how to improve pesticides controls, and said committee shall file a report of its activities not later than December 1, 1964 which report shall include recommendations for legislation designed to improve in pesticides controls. The committee is hereby authorized to accept and apply to the purposes hereof gifts and grants from any person or association, public or private, made for the purpose of aiding such study and investigation.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 448, relative to conveyance of Rye Harbor Reservation to the town of Rye, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### Amendment to HB 448

Amend the title of the bill by inserting before the words "Rye Harbor" the words part of, so that said title as amended shall read as follows: AN ACT relative to the conveyance of part of Rye Harbor Reservation to the town of Rye.

Amend section 1 by striking out the first three lines and inserting in place thereof the following:

1 Authority Granted. The governor and council are hereby authorized to convey to the town of Rye some fifty acres more or less in Rye, a part of property known as Rye Harbor Reservation as amended shall read as follows:

1 Authority Granted. The governor and council are hereby authorized to convey to the town of Rye some fifty acres more or less in Rye, a part of property known as Rye Harbor Reservation which is now under the administration of the division of parks in the department of resources and economic development. The condition for the conveyance hereby authorized shall be that said town of Rye shall use the property for recreational and other municipal purposes.

Further amend the bill by inserting after section 1 a new section as follows:

2 State Highway Right-of-way. In the event that the state highway department shall at some future date lay out a public highway requiring a portion of the land conveyed by this act, the town of Rye shall provide such right-of-way to the state without cost to the state.

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 206, raising revenue for educational purposes, Mr. Pettigrew of Manchester for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 508, relative to house trailers, Mr. Pettigrew of Manchester for Ways and Means. Ought to pass.

The bill was ordered to a third reading.

HB 515, relative to distribution of normal yield taxes, Mr. Pettigrew of Manchester for Ways and Means. Ought to pass.

The bill was ordered to a third reading.

HB 520, relative to duties of the tax commission in equalization of taxes, Mr. Pettigrew of Manchester for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 6, An act relative to the classification of a highway in Newton.

HB 212, An act authorizing the use of the name New Hampshire Life Insurance Company.

HB 228, An act relative to fees for medical referees.

HB 321, An act relative to the deposit of securities by domestic life insurance companies.

HB 322, An act relative to real estate owned by domestic life insurance companies.

HB 394, An act relative to validation of deeds lacking witnesses.

HB 410, An act relative to investments of guardians and conservators.

SB 38, An act to prohibit the use of power boats in the White Mountain National Forest.

HJR 31, Joint resolution providing for a deficiency appropriation for the state hospital.

HB 153, An act relative to motor vehicle fees.

HB 181, An act relating to the purchase of data processing systems by insurance companies.

HB 195, An act relating to the Gale Home for Aged and Destitute Women.

HB 231, An act relative to compensation for members of board of medical examiners.

SB 40, An act to provide for payment of compensation of deceased legislators.

HJR 17, Joint resolution relative to an inventory of real property owned by the state.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 290, relative to the retirement age for state employees under the state employees' retirement system.

**Amendment to HB 290**

Amend the bill by inserting after section 2 the following new sections: 3 Membership in Police Retirement Retained. Amend RSA 103 by inserting after section 21 thereof the following new subdivision:

**Retention of Membership**

103:22 Retention Authorized. Any other provision of this chapter notwithstanding any person who has been a permanent policeman and a qualified member of the policemen's retirement system under the provisions of this chapter for fifteen years or more and who has ceased to be such and so qualified but who has become eligible, without intervening employment elsewhere, to be a member of the state employee's retirement system under the provisions of RSA chapter 100, may elect within three months of the date he has ceased to be such and so qualified, to retain his membership in and continue as a member of the policemen's retirement system as though he had never ceased to be so qualified and shall be eligible as such, as long as he is eligible to be a member of the state employees' retirement system.

4 Personnel Already Effected. Any person who on the effective date of this act would be entitled to exercise the election provided for in section 3 of this act excepting for the fact that the time limit of three months therein provided has already expired shall be entitled to make such election within three months from the effective date of this act.

Further amend the bill by renumbering section 3 thereof to read section 5.

\* \* \*

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

Mr. McMeekin moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Sherman of Lancaster, McMeekin of Haverhill and Cote of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the

following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 89, An act relating to the exemption from property taxes of certain parts of the state airways system.

### **Amendment to HB 89**

Amend section 2 of said bill by inserting after the word "present" in the third line the words, and voting, so that said section as amended shall read as follows:

2 Exemption from Property Tax. Amend RSA 72 (supp) as amended by 1957, 299:1, by inserting after section 37 the following new section: 72:38 Exemption for Aviation Facilities. A town, by vote of a majority of those present and voting at any regular town meeting, acting under an article duly incorporated in the warrant for said meeting, and a city, by vote of the governing body thereof, may exempt the owner of a privately owned air navigation facility available for public use without charge, who holds as of April first of any year a certificate for such facility from the New Hampshire aeronautics commission that the facility is necessary for the maintenance of an effective airway system, from taxation of such facility for each such year. For the purposes of this section the term air navigation facility includes all the surfaces of an airport encompassed within the principal boundaries that are maintained and available for the take-off, landing, taxiing, and open air parking of an aircraft using said airport, any air navigation or communications facility associated with the airport and any passenger terminal building available for public use without charge.

\* \* \*

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 153, relative to motor vehicle fees.

HB 308, relative to taxation of property moved into town after April first.

HB 6, relative to the classification of a highway in Newton.



HB 81, relative to the authority of the commissioner of public works and highways.

HB 321, relative to the deposit of securities by domestic life insurance companies.

HB 322, relative to real estate owned by domestic life insurance companies.

HB 470, providing for a referendum for dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough.

HB 394, relative to validation of deeds lacking witnesses.

HB 410, relative to investments of guardians and conservators.

HB 228, relative to fees for medical referees.

HB 231, relative to compensation for members of board of medical examiners.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 251, An act relative to ice fishing and the President has appointed as members of said Committee on the part of the Senate: Senator Rainie and Senator Martel.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

SB 40, An act to provide for payment of compensation of deceased legislators.

\* \* \*

Mr. Pappagianis of Nashua and Mr. Peterson of Peterborough offered the following Resolution:

*Resolved*, that all title requests for legislation now in the hands of the drafting service shall be cancelled unless said drafting service, prior to 5 p.m. Wednesday, May 8, 1963, has been furnished with sufficient material therefor to complete the bills requested. This resolution shall not be deemed to affect bills approved by the Rules Committee.

The resolution was adopted.

### Communications

House of Representatives  
Concord, N. H.

The resolutions of sympathy, offered by Mr. Eli Laflamme of Concord, on the passing of our father, Thomas J. Marshall, has been received.

We all greatly appreciate your kind expression of sympathy, and are deeply grateful.

s/Mrs. Hazel Marshall Peabody

\* \* \*

Town of Hopkinton  
Office of Town Clerk  
Contoocook, N. H.  
May 1, 1963

Mr. Stewart Lamprey  
Speaker of the House  
State House, Concord, N. H.

Dear Sir:

The following resolution was offered at the Town Meeting March 12, 1963 by Edward C. Leadbeater:

*Resolved* by the town of Hopkinton, in town meeting convened, that the Town go on record as being in favor of the enactment by the General Court of a Statewide Retail Sales Tax to be collected by the State, but to be returned to the Towns of School Districts for educational purposes, as a means of reducing, substantially, the tax imposed upon Real Estate by the ever increasing cost of the Public Schools; and be it further resolved that copies of this resolution be sent by the Town Clerk to the Governor, the President of the Senate, the Speaker of the House and our Representative to the General Court.

Adopted in the affirmative.

Very truly yours,

David B. Packard,  
Town Clerk

\* \* \*

Mr. Smith of Plymouth moved that the list of Legislative Counsel and Agents registered in the Secretary of State's office be printed in the Journal, and spoke in favor of the motion.

The motion was adopted.

### **Legislative Counsel and Agents Registered in Office of the Secretary of State**

Employed by

Reid O. Besserer, Lakeport — N. H. Camp Dir. Assoc.  
Richard C. Kelley, East Kingston — N. H. Farm Bureau Federation  
Hertel L. Pariseau, Manchester — N. H. State Employees Assoc. of N. H.  
Francis E. Robinson, Durham — N. H. Assoc. of Savings Banks  
Hamilton S. Putnam, Concord — N. H. Medical Society  
Edwin L. Page, Concord — N. H. Congregational-Christian Conference  
Rufus L. Nelson, Concord — N. E. Power Co.  
Major A. Lemay, Nashua — Boston & Maine R. R.  
Frank N. Sawyer, Weare — American Legion  
A. J. Staby, Auburn — N. H. Truck Owners' Assoc.  
George R. Paine, Berlin — Hinsdale Raceway, Inc.  
Frederick S. Hall, Concord — N. E. Tel. & Tel. Co.  
Malcolm McLane, Concord — New England Power Co.  
Guy C. Aldrich, Manchester — Manchester Taxpayers' Assoc.  
William L. Phinney — N. H. Jockey Club, Inc.  
Edward H. Cullen, Manchester — N. E. Tel. & Tel. Co.  
Mary T. Madden, Penacook — N. H. Nurses' Assoc.  
Davis L. Mann, Concord — N. H. Municipal Assoc.  
Robert G. Lewis, Concord — N. H. Education Assoc.  
Kendrick C. Bean — N. H. Education Assoc.  
James B. Godfrey, Concord — N. H. Bankers' Association  
Russell E. MacCleery, Chichester — N. H. Petroleum Industry  
Henry C. Waldo, Lincoln — Franconia Paper Co.  
Richard K. Palmer, Keene — N. H. Hotel Assoc.  
Barry T. Mines, Holderness — N. H. Taxpayers' Federation, Inc.  
William L. Phinney, Goffstown — N. H. Trotting and Breeding Assoc.  
Frederick S. Hall, Concord — Concord Female Charitable Society

- Isidore Guerett, Nashua — Isidore Beauty Salon  
Asa H. Morgan, Bow — N. H. State Grange  
Thomas F. McKoan, Canterbury — N. H. Automobile Dealers' Assoc.  
George H. Hill, W. Boxford, Mass. — Boston & Maine R. R.  
Walter D. Hinkley, Lancaster — American Mutual Insurance Alliance  
Harry C. Lichman, Keene — Paul S. Cray  
Franklin Hollis, Concord — Concord Electric Co.  
Franklin Hollis, Concord — Exeter & Hampton Electric Co.  
Franklin Hollis, Concord — Pub. Service Co. of N. H.  
Franklin Hollis, Concord — N. H. Electric Co.  
Theodore J. Rouillard, Sr., Claremont — N. H. Assoc. of Insurance Agents, Inc.  
Irving H. Soden, Concord — Assoc. of Casualty & Surety Cos.  
Joseph B. Moriarty, Lee — N. H. A.F.L.-C.I.O.  
Philip M. Darling, Jaffrey — N. H. Manufacturers' Assoc.  
Ralph W. Smith, Salem Depot — self  
Roger Martin, Manchester — State, County & Municipal Employees  
Harold A. Webster, Holderness — First National Stores, Inc.  
Martyn B. Kenney, Wakefield, Mass. — Assoc. of N. E. Milk Dealers, Inc.  
George Cuthbert, Keene — New Hampshire Bankshares, Inc.  
Ernest R. D'Amours, Manchester — M-A-C Finance Plan, Inc.  
Walter D. Hinkley, Lancaster — Maine Central Railroad Co.  
Walter D. Hinkley, Lancaster — N. H. Association of Plumbing Contractors  
Gordon Tiffany, Concord — Granite State Dairymen's Assoc.  
James B. Godfrey, Concord — University C I T Credit Co.  
Raymond B. MacFarlane, Concord — N. H. Christian Civic League  
Gerald W. Connolly, Bedford — American Automobile Assoc.  
Charles F. Sheridan, Jr., Concord — Public Service Co. of N. H.  
Neil Tolman, Nelson — New England C A T V Assoc.  
John F. Beamis, Somersworth — Prime Tanning Co. Inc.  
Norman H. Stahl, Manchester — Sperry & Hutchinson Co.  
Walter D. Hinkley, Lancaster — Canadian National Railways  
Robert W. Pillsbury, Nashua — Nashua Corporation  
Robert H. Reno, Concord — United Life & Accident Ins. Co.  
Malcolm McLane, Concord — Wildcat Mountain Corp.  
Richard A. Edwards, Pelham Manor, N. Y. — Health Insurance Assoc. of America

Henry P. Sullivan, Manchester — N. H. Mobile Home Owners' Assoc.

Henry P. Sullivan, Manchester — Federal Market, Inc.

Harry C. Lichman, Keene — Joseph L. Ryan

Richard E. Dill, Rye — Portsmouth Mobile Homes, Inc. and Hillcrest Trailer Park

Ernest R. D'Amours, Manchester — Committee of Beauty School Owners

Kimon S. Zachos, Manchester — N. H. Assoc. of Insurance Agents

Kimon S. Zachos, Manchester — Better Home Heat Council of N. H.

Burnham B. Davis, Conway — Intervale Ski Area, Inc.

Francis Quinlan, Peterborough — Monadnock Savings Bank

Robert P. Viafora, Manchester — N. H. Assoc. of Realtors, Inc.

Robert H. Reno, Concord — Franconia Paper Corp.

Thomas E. Flynn, Jr., Portsmouth — Interstate Civic Association

### Resolutions

Mr. Collishaw of Exeter offered the following resolutions for the Rockingham County Delegation:

*Whereas*, James A. Purington of Exeter, has passed away, and

*Whereas*, He was serving his second term as Representative from Exeter, and

*Whereas*, He was a veteran of World War I, and

*Whereas*, He was former past president of New England Association of County Agricultural Agents, now therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his town, county, state and country and express our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That the Speaker of the House appoint a delegation to attend the services and that a floral tribute be procured, and be it further

*Resolved*, That a copy of these Resolutions be sent to his wife, Mrs. Winnie Purington.

On a standing vote of prayer the resolutions were unanimously adopted.

Mr. Dionne of Manchester offered the following resolutions for the Nashua Delegation:

*Whereas*, Eugene I. Dubois, Representative from Nashua is ill, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Dubois.

The resolutions were unanimously adopted.

Mr. Andersen of Concord offered the following resolutions for the Concord Delegation:

*Whereas*, Elwood Peaslee, Representative from Concord, has been hospitalized in the Massachusetts General Hospital in Boston, therefore be it

*Resolved*, That we the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Peaslee.

The resolutions were unanimously adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow at 11:00 A.M.

**Afternoon Session****Third Readings**

HB 382, requiring registration for physical therapists, was read a third time and passed.

**Reconsideration**

Mrs. Hartigan of Rochester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 382 and spoke against the motion.

The motion was lost and HB 382 was sent to the Senate for concurrence.

The following Senate bill and Senate Joint Resolution were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 36, entering into the Interstate Library Compact enacting the same into law and for related purposes.

SJR 10, in favor of Bertha F. Masson.

The following House bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 515, relative to distribution of normal yield taxes.

HB 508, relative to house trailers.

HB 448, relative to conveyance of Rye Harbor Reservation to the town of Rye.

HB 191, relating to commitment to the industrial school.

HB 473, reducing the time for the presentation of claims in the administration of insolvent estates.

HB 422, relative to unlawful use of motor vehicle operator's licenses.

HB 392, relative to the sale of insurance in connection with certain transactions.

HJR 29, providing additional funds for cancer commission.

HB 512, abolishing the state recreational fund and relative to state financing.

HB 157, relative to the construction of a residence hall at the University of New Hampshire, and to be liquidated from income.

HB 420, extending the appropriation for marriage counseling referral service.

HB 494, relative to the compensation of state employees engaged in snow removal.

HB 535, eliminating the office of farm supervisor and providing for an additional assistant business supervisor.

\* \* \*

On motion of Mrs. Sadler of Portsmouth the House adjourned at 12:39 P.M.

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WEDNESDAY, MAY 8, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Almighty Father, who in the midst of Thy Divine Creation did honor us with the blessings of truth and freedom, teach us to continually protect, preserve, and defend these rights. Teach us the value of faithful love and service in our daily stewardship of life. Let there be no selfishness in our attitudes and actions, impart to us wisdom and justice in our every endeavor. Grant Thy continual blessing upon our beloved "Granite State", her leadership, her workers, and her citizens. May we be worthy of our high calling and elected responsibility as we labor together in the spirit of brotherhood and give of our best to Thee. Humbly we beseech Thee, in the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Asby of Canterbury led the Convention in the Pledge of Allegiance to the Flag.



### **Introduction of a Special Guest**

The Chair introduced Dr. William F. Putnam from Lyme who has been named New Hampshire Doctor of the Year by the New Hampshire Chapter — Society of New Hampshire General Practitioners. Dr. Putnam addressed the Joint Convention briefly.

On motion of Senator Monahan from the 5th District the Convention rose.

### **House**

#### **Introduction of House Guests**

The Chair introduced the following groups as guests of the House today:

A group of elementary school students from Exeter, courtesy of the Exeter Delegation.

The civics class from Penacook High School, courtesy of the Penacook Delegation.

The fourth grade students from Canterbury, courtesy of Mr. Asby of Canterbury.

#### **Leaves of Absence**

Mr. Peaslee of Concord was granted leave of absence for two weeks on account of illness.

Mr. Lambert of Hooksett was granted leave of absence for today and Thursday on account of illness.

Mr. Rolfe of Rochester was granted leave of absence for today and Thursday on account of a death in the family.

Mr. Stearns of Hinsdale was granted leave of absence for today and Thursday on account of important business.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 579, to amend the charters of various savings banks. (Stevens of Epsom) to Banks.

HB 580, to repeal charters of certain corporations. (Newell of Concord) to Executive Departments and Administration.

HB 581, relating to workmen's compensation. (Angus of Claremont) to Labor.

HB 582, relative to legislative mileage allowances. (Keating of Keene) to Mileage.

HB 583, providing state aid for transportation of school pupils in school districts having no schools. (Hughes of Brookfield) to Education.

HB 584, relative to Belknap County Recreational Area. (Stafford of Laconia) to Belknap County Delegation.

HB 585, establishing a traffic and parking commission in the city of Laconia. (Stafford of Laconia) to Laconia Delegation.

HB 586, extending the time when expenditures can be made from certain aeronautical appropriations. (Messrs. Pickett of Keene and Coutermarsh of Lebanon) to Appropriations.

HB 587, to allow the sale of liquor for on-premise consumption. (Messrs. Cavalieri and Coussoule of Portsmouth) to Liquor.

HB 588, authorizing training of auxiliary state police. (Pappagianis of Nashua) to Exec. Depts. and Administration.

HB 589, relative to group insurance. (Davis of Greenfield) to Insurance.

### Committee Reports

HB 235, relative to the disposition of fines imposed for shooting a human while hunting, Mr. Vashaw of Berlin for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 360, relating to salt water smelt and salt water bass, Mr. Felch of Seabrook for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 377, relative to an open season for the hunting of raccoons, Mrs. Forbes of Marlow for Fish and Game. Ought to pass with amendment.

**Amendment to HB 377**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Open season for Taking. Amend RSA 210:2 (supp) as amended by 1959, 151:1 by striking out the word "September" in the second line and inserting in place thereof the word, August, so that said section as amended shall read as follows: 210:2 Raccoons. Raccoons may be taken and possessed with the aid of and by the use of a dog and gun from August first to December first. No person shall take more than three raccoons from twelve noon of one day to twelve noon of the following day, nor more than twenty-five raccoons in one season. No person shall hunt raccoons at night by the use of a rifle, revolver, or pistol larger than twenty-two calibre long rifle or by the use of shotgun shells carrying shot larger than number four or by the use of a light other than a kerosene lantern exclusive of the pressure type or a flashlight with more than seven cells. No person shall take or attempt to take raccoons by use of a light from a motor vehicle.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 380, relative to elk, deer and moose illegally taken, Mr. Gilman of Franklin for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 381, providing compensation for members of fish and game commission, Mr. Welch of Concord for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 543, relative to submission to voters of Littleton of question on adoption of act providing for Littleton Parking District, Mr. Hanson of Bow for Municipal and County Government. Ought to pass with amendment.

**Amendment to HB 543**

Amend section 1 of the bill by striking out the word "shall" in the third line and inserting in place thereof the word, may, so that said section as amended shall read as follows:

1 Referendum. At any regular or special town meeting in the town of Littleton, the selectmen may insert in the warrant for said meeting an article calling for the consideration of the question of the adoption of an act of the 1959 legislature for the establishment of the Littleton Parking Districts and for said meeting the town clerk shall prepare ballots on which he shall insert the following question: "Shall the act to create the Littleton Parking District, Laws 1961, chapter 357, be adopted?" If a majority of the voters present and voting on this question vote in the affirmative chapter 357 of the Laws of 1961 shall be declared to have been adopted and the said Littleton Parking District shall be established in accordance with said statute.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 71, relative to special meetings of the mayor and board of aldermen of Concord, Mr. Gove of Concord for the Concord Delegation. Ought to pass with amendment.

### Amendment to HB 71

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Notice of Special meetings. Amend 1957, 429:12 by striking out the same and inserting in place thereof the following: 429:12 Meetings. The mayor shall preside over all meetings of the board of aldermen and the city clerk shall act as a clerk of the board. All meetings of the board of aldermen shall be public. Regular meetings shall be held at seven o'clock in the evening on the second Monday of each month. Special meetings may be had upon notice delivered to the mayor and to each alderman by the city clerk at the written request of the mayor or at least five aldermen or by such other method of calling special meetings as the board of aldermen shall provide by resolution. The board of aldermen shall establish its own rules, and a majority shall constitute a quorum for the transaction of the business of the board. The mayor shall have the right to introduce bills and initiate other measures in the board of aldermen, and to speak therein upon pending measures without resigning the chair; but he shall not be counted to make a quorum of such board, nor vote therein except in case

of equal division. He shall have no negative on any ordinance, resolution or vote of the board of aldermen. The mayor-elect and the newly elected members of the board of aldermen shall assume office at the regular January meeting in each even numbered year.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 364, relative to the city charter of Concord, Mr. Gove of Concord for the Concord Delegation. Ought to pass with amendment.

### **Amendment to HB 364**

Amend section 1 of the bill by striking out the words "finance director" in lines one, four, eight and nine, and inserting in place thereof the words, city auditor, so that said section as amended shall read as follows:

1 City Auditor. Amend 1957, 429:23 by striking out the words "city clerk" in the third line and inserting in place thereof the words, city auditor, so that said section as amended shall read as follows: 429:23 Fiscal Control. The administrative code shall provide for the exercise of a control function, in the management of the finances of the city, by the city auditor. The control function shall include provisions for an encumbrance system of budget operation, for expenditure only upon written requisition, for the pre-audit of all claims and demands against the city prior to payment, and for the control of all payments out of any public funds by individual warrants for each payment to the official having custody thereof.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 21, relative to the Concord city charter, Mr. Gove of Concord for the Concord Delegation. Ought to pass with amendment.

### **Amendment to HB 21**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following.

1 City of Concord. Amend section 11 of chapter 429 of the Laws of 1957 by striking out said section and inserting

in place thereof the following: 429:11 Compensation. Until otherwise fixed by the mayor and aldermen the mayor shall receive a salary of \$8,500 per annum, payable monthly. Aldermen shall receive fifteen dollars per meeting upon attendance, not to exceed in the aggregate three hundred dollars per annum in full for their services. The mayor and aldermen in office at any time may change the annual salary of the mayor and the compensation for the aldermen provided that such changes shall not be effective until January following the next biennial election and no further changes shall be made for a period of two years from said January.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

The Chair called for the Special Order on HB 378, relative to reporting after motor vehicle accident. The question being on the resolution of the committee, Inexpedient to legislate.

Mr. Matheson of Center Harbor moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Mr. Wheeler of Exeter spoke against the motion.

(discussion ensued)

Mr. Stafford of Laconia spoke in favor of the motion.

Mr. Varney of Rochester spoke against the motion.

The motion prevailed and the bill was ordered to a third reading.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and Senate Joint Resolution:

HB 358, An act relative to the time for filing of permanent journal.

HB 365, An act relative to definitions under the teachers' retirement system.

HB 432, An act relative to number of ballots to be printed for the primary election.

HB 443, An act legalizing proceedings at the town meeting March 12, 1963 in the town of Bow.

HB 444, An act legalizing the election of officers at the annual town meeting on March 12, 1963 in the town of Milton.

HB 489, An act legalizing certain procedures at the 1962 annual meeting in the town of Conway.

SJR 10, Joint resolution in favor of Bertha F. Masson.

Mrs. Potter of Northumberland  
Mr. York of Concord

### Committee of Conference Report

The Committee of Conference on House Bill No. 251, entitled "An Act relative to ice fishing", having considered the same, recommend that the House recede from its position of nonconcurrence with the amendment adopted by the Senate and concur in the adoption of said amendment.

The Conference Committee further recommends that the House and Senate concur in the adoption of the following amendment to the bill: Amend section 1 of said bill by inserting at the end thereof the following paragraph: (3) No person owning or placing a smelt shanty or bob house on the ice for the purpose of ice fishing shall cause or allow the same to be burned thereon.

Fay Vashaw  
M. Roy London  
Donald J. Welch  
Conferees on the part of the House

Herbert W. Rainie  
Louis Israël Martel  
Conferees on the part of the Senate

The report was adopted.

### Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 93, An act legalizing a meeting of the Monadnock Regional School District.

SB 64, An act abolishing the school district of Wentworth's Location and transferring the education of children in Wentworth's Location to the state.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 64, abolishing the school district of Wentworth's Location and transferring the education of children in Wentworth's Location to the state. To Education.

SB 93, legalizing a meeting of the Monadnock Regional School District. To Education.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 308, An act relative to taxation of property moved into town after April first.

### **Amendment to HB 308**

Amend section 2 of the bill by striking out the same and inserting in place thereof the following: 2 Takes Effect. This act shall take effect April 1, 1964.

\* \* \*

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 63, relative to hunting from motor vehicles by disabled persons.

HB 65, relative to nonresident hunting and fishing licenses.

HB 66, relative to fish and game licenses for persons over seventy years of age.



HB 274, relative to fishing without license by patients at veterans hospitals.

HB 365, relative to definitions under the teachers' retirement system.

HB 358, relative to the time for filing of permanent journal.

HB 272, relative to outstanding state checks.

HB 443, legalizing proceedings at the town meeting on March 12, 1963 in the town of Bow.

HB 432, relative to number of ballots to be printed for the primary election.

HB 444, legalizing the election of officers at the annual town meeting on March 12, 1963 in the town of Milton.

HB 489, legalizing certain procedures at the 1962 annual meeting in the town of Conway.

\* \* \*

The Chair announced that today is the birthday of Messrs. Hackler of Swanzey, Spanos of Newport and Collishaw of Exeter.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

HB 378, relative to reporting after motor vehicle accident, was read a third time, passed, and sent to the Senate for concurrence.

#### **Reconsideration**

Mr. Matheson of Center Harbor, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 378 and spoke against the motion.

Mrs. Palmer of Plaistow and Mr. Varney of Rochester spoke in favor of the motion.

Mr. Cobleigh of Nashua spoke in favor of the motion.

Mr. Stafford of Laconia spoke against the motion.

The motion to reconsider HB 378 was lost.

### **Third Readings (continued)**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 21, relative to the Concord city charter.

HB 364, relative to the city charter of Concord.

HB 71, relative to special meetings of the mayor and board of aldermen of Concord.

HB 543, relative to submission to voters of Littleton of question on adoption of act providing for Littleton Parking District.

HB 377, relative to an open season for the hunting of raccoons.

HB 235, relative to the disposition of fines imposed for shooting a human while hunting.

\* \* \*

On motion of Mrs. Potter of Northumberland the House adjourned at 12:14 P.M.

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THURSDAY, MAY 9, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by Guest Chaplain, Reverend John Morrison, of the United Church, Gilmanton, as follows:

Eternal God, our Heavenly Father; who rulest the universe and guidest with wisdom and strength the lives of all who turn to thee with humility and faith; we earnestly pray that thou wilt look upon us with favor as we wait in thy presence.

We thank thee for all the blessings of life — many of which thou dost bestow even before we ask or think. We are especially grateful for the privileges of serving thee, and we beseech thee to cause thy spirit to dwell in the hearts of all who are met here to perform their legislative duties. Guide and govern each mind that every judgment and action may be motivated by a right purpose. May the temptation of any selfish thought or ambition be over-shadowed by a sense of dedication to promote the goodwill of the people and the prosperity of the State and Nation.

We ask that thou wilt bless all who are in Authority, especially the President of the United States, and the Governor of the State of New Hampshire. May we all be united with them in the task of upholding the ideals of democracy and of promoting thy Kingdom of Peace in all the world.

This we ask in Thy Holy Name. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Uhlenberg of Gilmanton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of elementary school students from Plainfield, courtesy of Mr. Hood of Plainfield.

A group of 8th grade students from Bristol, courtesy of Mr. Plumer of Bristol.

A group of students from the Holderness Grade school, courtesy of the Grafton County Delegation.

#### **Leaves of Absence**

Mrs. McDonough of New Castle and Mr. Smith of Dover were granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 590, relative to transfer of positions in the department of safety. (Newell of Concord) to Executive Departments and Administration.

HB 591, providing for per-pupil grants to local school districts. (Gove of Concord) to Education.

HB 592, imposing taxes on the net income of all businesses, services and business operations conducted within the state, and providing for the abolition of certain taxes. (Taft of Greenville) to Ways and Means.

HB 593, relative to legal assistance for land acquisitions. (Rules Committee — Mr. Shepard of Londonderry) to Appropriations.

### Committee Reports

HB 12, providing for a commission to study the state constitution, Mr. Eaton of Hillsborough for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 150, providing for the calling of a constitutional convention, Mr. Roberts of Conway for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 401, relative to training of fire fighters, Mr. Weeks of Greenland for Appropriations. Ought to pass with amendment.

### Amendment to HB 401

Amend said bill by striking out section 5. Further amend said bill by renumbering section 6 to read section 5.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 318, relative to branch banking and bank holding affiliates, Mr. Bigelow of Warner for Banks. Ought to pass with amendment.

**Amendment to HB 318**

Amend paragraph I of section 384-B:2 as inserted by section 1 of the bill by striking out in the tenth line the words "at a location in such town" and inserting in place thereof the words, any part of, so that said paragraph as amended shall read as follows:

I. With the approval of the board, any bank may (a) establish and operate one or more branch offices within the town in which its principal office is located; (b) establish and operate one or more branch offices within any contiguous town, provided there is not in existence on the effective date of this act and still operating any bank or national bank located in such contiguous town; (c) establish and operate a branch office within any noncontiguous town any part of which is within a radius of fifteen miles of its principal office, provided no bank or national bank in existence on the effective date of this act and still operating is located anywhere in this state within a radius of ten miles of the location of any such proposed branch office. Provided, however, that the board shall not grant any application for a branch office if the dollar volume of the total deposits, both time and demand, of the applicant bank is greater than twenty per cent of the dollar volume of the total deposits, both time and demand, of all banks and national banks in this state as determined by the board on the basis of the most recent reports made by such banks to their supervisory authorities available at the time of filing of the application or if the applicant bank is an affiliate of a bank holding company which with all its affiliates then holds a dollar volume of deposits, both time and demand, greater than twenty per cent of the dollar volume of total deposits, both time and demand, of all banks and national banks in this state as determined by the board on the basis of the most recent reports made by such banks to their supervisory authorities available at the time of filing of the application. In applying the provisions of (b) and (c) above, a bank or national bank existing on the effective date of this act shall, for five years subsequent to the effective date of its consolidation with a bank or national bank even though it may have become a branch office through such consolidation, be regarded as a bank or national bank unless it shall file its written consent to the granting of the particular application for the establishment of a branch office then pending before the board.

The amendment was adopted and the bill was ordered to a third reading.

Resolution relative to nature and extent of real property owned by the state in the town of Tamworth, Mr. Morrill of Salem for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 414, relative to the operation of motor boats by certain minors. Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

HB 478, relative to the Beaver Brook Flood Control Project, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 329, relative to initial registration plates for boats, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to HB 329**

Amend the bill by adding at the end of section 1 the following:

270:15-b Disposition of Fees and Forfeitures. The net proceeds collected from service fees for initial number plates issued for boats shall be expended by the Director of the Division of Safety Services for the purpose of establishing a training program for Young Boaters. These proceeds shall be held in a special account until the 1965 Legislature is in session.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 323, providing for a secretary for the sheriff of Strafford county, Mrs. St. Pierre of Rochester for the Strafford County Delegation. Inexpedient to legislate.

The resolution was adopted.

HB 404, relative to salaries of mayor and councilmen of the city of Laconia, Hr. Stafford of Laconia for the Laconia Delegation. Ought to pass with amendment.

**Amendment to HB 404**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 City of Laconia. Amend section 14, chapter 241, Laws of 1893, as amended by section 3, chapter 265, Laws of 1941, chapter 324, Laws of 1951 and section 4, chapter 411, Laws of 1957, by striking out said section and inserting in place thereof the following:

Sect. 14. The mayor of said city shall be chosen biennially, and shall have the same negative upon all the actions of the council as by the public statutes the mayors of cities are given upon the action of aldermen. He shall preside in the meetings of the city council, but shall have no vote except in case of an equal division. In his absence the council may elect one of their number chairman, who shall have all the powers and perform all the duties of mayor during his absence or disability, or during a vacancy in said office from any cause. The salary of the mayor shall be three thousand dollars a year, payable in four equal installments.

Amend section 2 of the bill by striking out in the ninth and fifteenth lines the word "six" and inserting in place thereof the word, eight, so that said section as amended shall read as follows:

2 Councilmen. Amend section 15 of chapter 241 of the Laws of 1893, as amended by section 3, chapter 200, Laws of 1901, chapter 192, Laws of 1903, section 3, chapter 213, Laws of 1903, section 2, chapter 291, Laws of 1911, section 4, chapter 265, Laws of 1941, chapter 323, Laws of 1951, and section 3, chapter 411, Laws of 1957, by striking out the word "four" in the fourth line and inserting in place thereof the word, eight, so that said section as amended shall read as follows:

Sect. 15. There shall be chosen biennially by and from the qualified voters of each of the several wards of said city one councilman to serve for the term of two years. Each city councilman shall receive a salary of eight hundred dollars per year payable in four equal installments.

Amend section 3 of the bill by striking out the word "May" and inserting in place thereof the word, July, so that said section as amended shall read as follows:

3 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

The Chair called for the Special Order for 11:01 on HB 467, relative to use of bond proceeds and temporary loans under the municipal finance act. Question being on committee report, Ought to pass with amendment.

Mr. Hill of Conway explained that there was an error in the amendment and spoke against it.

The amendment was not adopted.

Mr. Hill of Conway offered the following amendment and moved its adoption.

#### **Amendment to HB 467**

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Towns and Districts. Amend RSA 33:7-a (supp) as inserted by 1957, 89:1 by striking out said section and inserting in place thereof the following: 33:7-a Temporary Loans. If a municipality votes to issue bonds or serial notes in accordance with this chapter, and if in the opinion of the tax commission, such action was in accordance with the provisions of law in all respects, the officers authorized to issue the same may, in the name of the municipality, make a temporary loan or loans payable not later than two years from the date of such vote in anticipation of the money to be derived from the sale of such bonds, or serial notes and may issue temporary notes therefor, but the time within which final payment shall be made on the securities to be issued represented by any such temporary loan or loans shall not be extended by reason of the making of such temporary loan or loans beyond the time fixed by law or by the vote authorizing the issue of such bonds or serial notes. A temporary note or notes issued hereunder for a shorter period than two years may be refunded by the issue of other temporary notes maturing not later than two years from the date of such vote, provided that payment on account of the principal sum authorized to be borrowed by the issuance of serial notes or bonds shall be made in accordance with RSA 33:2 or the vote



authorizing the issue of such serial notes or bonds. The opinion of the tax commission shall be evidenced by a written certificate signed by any member thereof.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 286, An act relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester.

### **Amendment to HB 286**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Mayor of the City of Manchester. Amend section 1 of chapter 223 of the Laws of 1883, as amended by chapter 203 of the Laws of 1907, as amended by chapter 280 of the Laws of 1945 and section 1 of chapter 437 of the Laws of 1957 by striking out the words "six thousand" in the second line and inserting in place thereof the words, ten thousand, so that said section as amended shall read as follows: Section 1. The salary of the mayor of the city of Manchester shall be ten thousand dollars per year payable in equal semi-monthly payments. Said salary shall be in full compensation for services performed and personal expenses incurred, either as executive or as member of any board or committee of said city.

Further amend the bill by inserting after section 3 the following new section. 4 Fixing Salaries. Notwithstanding the provisions of any other statute to the contrary, the mayor and board of aldermen of the city of Manchester is hereby empowered and authorized to fix, increase or change the salaries of any of the following: the mayor, aldermen and members of the school committee, provided that no increase of any such salary shall take effect until the term of office subsequent to the term during which said increase was voted.

Further amend the bill by renumbering section 4 to read section 5.

\* \* \*

Mr. Cote of Manchester moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

Mrs. Ainley of Manchester moved that the House concur in the Senate amendment.

At the request of Mr. Kearns of Manchester, Mr. Cote of Manchester explained the bill.

Mr. Feldman spoke in favor of the motion to concur.

The motion was not adopted.

The question now being on the motion to non-concur.

Messrs. Kearns and Kimball of Manchester spoke in favor of the motion.

The motion to non-concur was adopted and the Chair appointed Mr. Geisel, Mrs. Ainley and Mr. Cote of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 75, An act relative to veterans' exemption.

### **Amendment to HB 75**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Exemptions. Amend RSA 72:28 (supp) as amended by 1955, 289:1 and 1963, 49 by inserting in line 17 after the word "thereof" the following: The tax exemption hereinabove provided shall be allowed to every resident of this state who is sixty-five years of age or over irrespective of the assessed value of his or her residential real estate, provided he or she is otherwise qualified under the provisions hereof, so that said section as amended shall read as follows: 72:28 Service Exemption. Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed con-

flicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, provided the value of such residential real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon, exceed five thousand dollars, and provided further that the resident qualified for exemption, excepting those with a service-connected disability, shall not be delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof. The tax exemption hereinabove provided shall be allowed to every resident of this state who is sixty-five years of age or over irrespective of the assessed value of his or her residential real estate, provided he or she is otherwise qualified under the provisions hereof. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 2, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

On motion of Mr. Gay of Derry, reading of the amendment was dispensed with.

Mr. Gay of Derry moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Underhill of Nashua, Gay of Derry and Mr. Twardus of Newmarket as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 336, An act fixing the compensation of moderators in the city of Manchester.

#### **Amendment to HB 336**

Amend the bill by striking out section 2 and inserting in place thereof the following: 2 Takes Effect. This act shall take effect when it shall have been adopted by an affirmative vote by the board of mayor and aldermen of the city of Manchester.

\* \* \*

On motion of Mr. Cote of Manchester the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

#### **Amendment to HB 217**

HB 217, An act relative to pharmacy fees and board assistants.

Amend the bill by inserting after section 1 the following new sections: 2 Separate Fund Established. Amend RSA 318:7 by striking out said section and inserting in place thereof the following: 318:7 Disposal of Fees, Fines, and Penalties. The secretary-treasurer shall receive and account for all moneys derived under the provisions of this chapter and shall pay the

same to the state treasurer, who shall keep such moneys in a separate fund to be known as the "Pharmacy Fund". Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only for the purposes hereof. All moneys in the fund are hereby specifically appropriated for the use of the commission. Under no circumstances shall the total amount of payments made hereunder exceed the amount of moneys collected under the provisions of this chapter. 3 Employees. Amend RSA 318:9 by striking out said section and inserting in place thereof the following: 318:9 Clerical and Inspectional Services. The commission may employ such clerical assistance and obtain such inspectional services as may in their judgment be deemed necessary, subject to the approval of the governor and council, and payment therefor shall be made from the pharmacy fund.

Further amend the bill by renumbering sections 2, 3, 4 and 5 to read 4, 5, 6 and 7 respectively.

On motion of Mr. Green of Rollinsford the House concurred in the Senate amendment.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 65, An act relative to nonresident hunting and fishing licenses.

HB 66, An act relative to fish and game licenses for persons over seventy years of age.

HB 89, An act relating to the exemption from property taxes of certain parts of the state airways system.

HB 470, An act providing for a referendum for dissolving the Hillsborough Bridge Village Fire Precinct and transferring its functions to the town of Hillsborough.

Mrs. Potter of Northumberland

Mrs. Marx of Langdon

### **Senate Messages (continued)**

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 58, permitting property tax exemptions of ski areas under certain conditions.

SB 59, to enable towns and cities to contribute to ski areas under certain conditions.

### Introduction of Senate Bills

The following Senate bills were read a first and second time and referred as follows:

SB 58, permitting property tax exemptions of ski areas under certain conditions, to Ways and Means.

SB 59, to enable towns and cities to contribute to ski areas under certain conditions. To Judiciary.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 243, relative to investment of school district funds.

HJR 26, in favor of Albert E. Jones and Theresa Jones.

HJR 27, in favor of Arthur Webster and Helen Webster.

HJR 28, in favor of Chanel L. Lavoie.

### Resolutions

Messrs. Sherman and Fortier offered the following resolutions for the Coos County Delegation:

*Whereas*, Paul E. Thayer, Representative from Jefferson, has been hospitalized in the Weeks Memorial Hospital in Lancaster, therefore be it

*Resolved*, That we the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Thayer.

The resolutions were unanimously adopted.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to permit a public hearing on HB 29, repealing the Milk Control act and SB 75, abolishing the Milk Control Board, not having appeared in the Journal for two days and spoke in favor of the motion.

Mr. Pickett of Keene spoke in favor of the motion.

The motion was adopted.

### **Point of Information**

Mr. Pickett of Keene rose on a point of information.

(discussion ensued)

\* \* \*

The Chair announced that today is the birthday of Mr. Marcoux from Nashua.

The Chair also announced that today is the 28th wedding anniversary of Mr. and Mrs. Hayward of Milford.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A. M.

### **Afternoon Session**

#### **Third Readings**

The following bills were read a third time, passed and sent to the Senate for concurrence:

HB 12, providing for a commission to study the state constitution.

HB 150, providing for the calling of the constitutional convention.

HB 401, relative to training of fire fighters.

HB 318, relative to branch banking and bank holding affiliates.

### Reconsideration

Mr. Bigelow of Warner, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 318, and spoke against the motion.

The motion was not adopted.

### Third Readings Continued

HB 414, relative to the operation of motor boats by certain minors.

HB 329, relative to initial registration plates for boats.

HB 404, relative to salaries of mayor and councilmen of the city of Laconia.

HB 467, relative to use of bond proceeds and temporary loans under municipal finance act.

\* \* \*

On motion of Mrs. Howard of Bartlett the House adjourned at 12:19 P.M.

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TUESDAY, MAY 14, 1963

The House met at 11:00 A.M.

(Mr. Peterson of Peterborough in the Chair)

### Joint Convention

Prayer was offered by Guest Chaplain, Reverend Gerald Larsen, St. Paul's Lutheran Church of Berlin, as follows:

Almighty God, the legislator of every good and perfect law, give us a portion of heavenly wisdom so that we might go in and out before the people of this state with single hearted devotion to establishing and maintaining good government. Let a portion of your Spirit fall mightily upon each of us so we will never be content with mediocre and dishonest political ambitions. Give us the courage to speak and do what is right without regard to criticism, without catering to the praise and honor



of men. You have chosen us to be lights to those in darkness, correctors of wrongdoing, leaven to inoculate the whole state with the qualities of heaven. Let your light shine forth that men everywhere might see our good works and give glory to you. Be with us and guide us in all that we do. And may we act upon what we hear from you, not upon what we want to hear, so that your will might be done on earth as it is now being done in heaven. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Casassa of Hampton led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

The Joint Convention was entertained by the following groups of singers from Keene Teachers College: The Madrigal singers, directed by Dr. Dennis K. Kiely; the Co-eds, and the Choir conducted by Mr. Robert Cummings. The program was announced by Miss Diane Akerley of Portsmouth.

On motion of Senator Olsen from the 10th District the Convention rose.

### **Introduction of Guests**

The Chair introduced students from the 4th grade in Hampton, courtesy of the Hampton Delegation.

### **Leaves of Absence**

Mr. Eastman of Weare was granted leave of absence for the day on account of a death in the family.

Mr. Lang of Manchester was granted leave of absence for the week on account of a death in the family.

(Speaker Lamprey in the Chair)

### **Committee Reports**

HB 550, relative to fire prevention and fire protection in mobile homes and travel trailers, Mr. Smith of Concord for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 562, affecting state employees required to be on stand-by duty, Mr. Allan of Meredith for Executive Departments and Administration. Ought to pass.

HB 562 was referred to Appropriations under the Rules.

HB 270, relative to use of poisons for the control of certain birds, Mr. Vashaw of Berlin for Fish and Game. Ought to pass with amendment.

### **Amendment to HB 270**

Amend section 1 of the bill by striking out the words "english sparrows, starlings and" in the fourth and fifth lines; further amend by striking out the words "producers of poultry" in the fifth and sixth lines and inserting in place thereof the words, grain merchants, so that said section as amended shall read as follows:

1 Exposing Poison. Amend RSA 572 by inserting after section 40 the following new section: 572:40-a Exceptions. The above provisions shall not pertain to the control of domestic pigeons by grain merchants or city or town officials under the supervision of the fish and game director or his authorized agent.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 383, relative to the open season for taking brook trout, Mr. London of New London for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 424, relating to the water works in the town of Greenville, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

### **Amendment to HB 424**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Additional Powers. Amend section 1 of chapter 328 of the Laws of 1903 by adding at the end of said section the following: In addition to the above powers, the town of Green-

ville is authorized to purchase and hold, without power of condemnation, any real or personal estate, including water rights, within the limits of the towns contiguous to the town of Greenville. Further, the town of Greenville may convey by appropriate means any water acquired in such towns to the town of Greenville. In furtherance thereof, the town of Greenville shall have the power to purchase or take land within such other towns, the taking to be limited to easements and rights-of-way to convey water by underground pipes. The owner of any land so appropriated may have his damages determined by the procedure set forth in section 2 hereof; so that said section as amended shall read as follows: Section 1. The town of Greenville is hereby authorized and empowered to construct, manage, maintain, and own suitable water-works, for the purpose of introducing into and distributing through the villages in said town an adequate supply of pure water in subterranean pipes, for extinguishing fires and for the use of its citizens, and for other purposes; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any real or personal estate, and any rights therein, and water rights necessary for carrying into effect the purposes of this act, and to excavate and dig canals and ditches in any street, place, squares, passways, highways, commons, or other place through which it may be deemed necessary and proper for building said water-works, and relay, change, and repair the same at pleasure, having due respect for the safety of its citizens and security of the public travel. In addition to the above powers, the town of Greenville is authorized to purchase and hold without power of condemnation, any real or personal estate, including water rights, within the limits of the towns contiguous to the town of Greenville. Further, the town of Greenville may convey by appropriate means any water acquired in such towns to the town of Greenville. In furtherance thereof, the town of Greenville shall have the power to purchase and take land within such other towns, the taking to be limited to easements and rights-of-way to convey water by underground pipes. The owner of any land so appropriated may have his damages determined by the procedure set forth in section 2 hereof.

2 Proceedings Legalized. All votes of the town of Greenville passed at the town meeting held on March 12, 1963 relating to the acquisition of other and additional sources of water supply for the town system of water-works, as well as to the

establishment, maintenance and government of said system of water-works and all incidents thereto, are hereby ratified and confirmed.

3 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 488, providing that hours for selling alcoholic beverages be uniform throughout the state, Mr. Vachon of Manchester for Liquor Laws. Inexpedient to legislate.

The resolution was adopted.

HB 483, providing for the acquisition of certain water rights and dams controlling the headwaters of the Salmon Falls River, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

HB 483 was referred to Appropriations under the Rules.

HB 363, relating to the acquisition of certain dams and water rights on the Contoocook River by the water resources board, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to HB 363**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for the acquisition of certain water rights and dams controlling the Contoocook River.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. New Chapter. Amend RSA by inserting after chapter 481 the following new chapter:

#### **Chapter 481-A**

#### **Contoocook River**

481-A:1 Acquisition Authorized. For a consideration of one dollar the water resources board is hereby authorized to

accept conveyances from the owners thereof the following described property being connected with the Contoocook river for the purpose of improving and controlling certain water rights for the benefit of the state:

I. The Contoocook river dam, so-called, water rights, land and other facilities connected therewith in the city of Concord.

II. The outlet canal dam, so-called, water rights, land and other facilities connected therewith in the city of Concord.

481-A:2 Repairs and Improvements. Said board after said acquisition shall from time to time make repairs and modifications to said dams so acquired or rebuild the same so as to best serve the interests of this state.

481-A:3 Tax Exemption. The properties hereby authorized to be acquired by the water resources board for the benefit of the state shall be exempt from taxation so long as the said properties are held by the state.

2 Appropriation. The sum of seven thousand five hundred dollars is hereby appropriated to be expended by the water resources board for the operation, maintenance and to provide for an estimate of cost of repairs or reconstruction thereof, as provided in RSA 481-A. The sum hereby appropriated shall be a continuing appropriation and shall not lapse. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

3 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 374, granting tenure to the superintendent of the Strafford County Farm, Mrs. St. Pierre of Rochester for the Strafford County Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 474, providing for the judicial review of orders transferring incorrigibles from industrial school to other state institutions. Mr. Maxham of Concord for the Majority, Inexpedient to legislate.

Mrs. Cole of Nashua for the Minority. Ought to pass.

Mrs. Cole of Nashua moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Moran of Manchester spoke in favor of the motion.

Mr. Maxham of Concord moved that HB 474 be indefinitely postponed and spoke in favor of the motion.

Mr. Wylie of Fremont spoke in favor of the motion.

Mr. Upton of Concord spoke against the motion.

(discussion ensued)

The question being, shall HB 474 be indefinitely postponed.

### Parliamentary Inquiry

Mr. Stafford of Laconia rose on a point of parliamentary inquiry.

On a *viva voce* vote, the motion was lost.

Mr. Maxham of Concord requested a division.

125 members having voted in the affirmative and 174 in the negative, the motion to indefinitely postpone did not prevail.

The question now being on the motion to substitute the words, Ought to pass, for the words, Inexpedient to legislate.

The motion was adopted and the bill was ordered to a third reading.

HB 79, relative to the national system of interstate and defense highways in the Portsmouth, New Hampshire, Kittery, Maine Area, Mr. Taft of Greenville for the majority of Public Works. Ought to pass with amendment.

### Amendment to HB 79

Amend section 2 by striking out said section and inserting in place thereof the following:

2 Takes Effect. The commissioner is authorized to proceed at once with the planning, engineering, layout and ac-

quisition of rights-of-way provided, however, no construction contracts may be awarded prior to July 1, 1965.

\* \* \*

HB 79, Mr. Keefe of Portsmouth as a minority member of the committee. That the bill be referred to the 1965 legislature.

Mr. Keefe of Portsmouth moved that the words, to be referred to the 1965 legislature, be substituted for the words, Ought to pass with amendment, and spoke in favor of the motion.

(discussion ensued)

Mr. Taft of Greenville spoke against the motion.

(discussion ensued)

Mrs. Hartigan of Rochester and Mr. McEachern of Portsmouth spoke in favor of the motion.

(discussion ensued)

Messrs. Osborn of Portsmouth, Coutermarsh of Lebanon, Plumer of Bristol and Cavalieri of Portsmouth spoke against the motion.

(discussion ensued)

Mr. Young of Rye moved the previous question and it was sufficiently seconded.

Mr. Young subsequently withdrew his motion.

The question being on the motion to refer the bill to the 1965 legislature.

The motion was not adopted.

The question now being on the amendment as offered by the committee.

Mr. Keefe of Portsmouth requested a division.

The division vote being manifestly in the affirmative the amendment was adopted.

Mr. Taft of Greenville offered the following amendment and moved its adoption.

**Amendment to HB 79**

Amend section 2 by striking out said section and inserting in place thereof the following:

2 Takes Effect. This act shall take effect upon its passage. The commissioner is authorized to proceed at once with the planning, engineering, layout and acquisition of rights-of-way provided, however, no construction contracts may be awarded prior to July 1, 1965.

\* \* \*

Mr. Taft of Greenville explained the amendment.

The amendment was adopted and the bill was referred to Appropriations under the Rules.

**Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills and House Joint Resolutions:

HB 25, An act providing an appropriation for the state council on aging.

HB 63, An act relative to hunting from motor vehicles by disabled persons.

HB 81, An act relative to the authority of the Commissioner of Public Works and Highways.

HB 217, An act relative to pharmacy fees and board assistants.

HB 229, An act relative to the personnel advisory board of the city of Portsmouth.

HB 272, An act relative to outstanding state checks.

HB 308, An act relative to taxation of property moved into town after April first.

HB 336, An act fixing the compensation of moderators in the city of Manchester.

HJR 26, Joint Resolution in favor of Albert E. Jones and Theresa Jones.

HJR 27, Joint Resolution in favor of Arthur Webster and Helen Webster.



HB 124, An act providing a penalty for falsely reporting a bomb scare.

HB 243, An act relative to investment of school district funds.

HB 274, An act relative to fishing without license by patients at veterans hospital and inmates of certain institutions.

HJR 28, Joint Resolution in favor of Chanel L. Lavoie.

Natalie M. Potter  
Bessie M. Morrison  
For the Committee

### Senate Messages

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 45, to provide special rates for residents at state-owned ski facilities.

### Introduction of a Senate Bill

SB 45, to provide special rates for residents at state-owned ski facilities, was read a first and second time and referred to Resources, Recreation and Development.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 251, An act relative to ice fishing.

The Committee of Conference on House Bill No. 251, entitled "An Act relative to ice fishing", having considered the same, recommend that the House recede from its position of nonconcurrence with the amendment adopted by the Senate and concur in the adoption of said amendment.

The Conference Committee further recommends that the House and Senate concur in the adoption of the following amendment to the bill: Amend section 1 of said bill by inserting at the end thereof the following paragraph: (3) No person owning or placing a smelt shanty or bob house on the ice for

the purpose of ice fishing shall cause or allow the same to be burned thereon.

Vashaw of Berlin  
London of New London  
Welch of Concord

Conferees on the part of the House

Herbert W. Rainie  
Louis Israël Martel

Conferees on the part of the Senate

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill: HB 290, An act relative to the retirement age for state employees under the state employees' retirement system and the President has appointed as members of said Committee on the part of the Senate: Senator Whalen and Senator Hartman.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill: HB 286, An act relative to salary of the mayor, aldermen and members of the school committee of City of Manchester and the President has appointed as members of said Committee on the part of the Senate: Senator Green and Senator Provost.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill: HB 75, An act relative to veterans' exemptions and the President has appointed as members of said Committee on the part of the Senate: Senator Green and Senator Lamontagne.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 330, relative to the appointment of a deputy treasurer for the county of Rockingham.

HB 353, relative to the salary of the Rockingham county commissioners.

HB 359, relative to the salary of the Rockingham county attorney.

HB 454, relative to the preservation of wooden covered bridges.

HB 25, providing for an appropriation for the state council on aging.

HB 229, relative to the personnel advisory board of the city of Portsmouth.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 210, in favor of certain agents of the fish and game department.

Amend section 1 of said bill by striking out the words, "the sum of one thousand dollars, or so much thereof as may be needed", and inserting in place thereof the following: the sum of seven hundred forty-five dollars, so that said section 1 shall read as follows:

1 Clam Licenses. There is hereby appropriated the sum of seven hundred forty-five dollars, to compensate agents authorized to issue clam licenses, for licenses issued by them during the period January 1, 1960 through June 30, 1961, for which such agents were not compensated. The director shall examine his records to determine the number of licenses issued without compensation by such agents, and remit to each agent the sum of twenty cents for each license which such agent issued without compensation during said period. To the extent that the funds therein are sufficient, such remittances shall be paid from the separate account for the taking of clams established by RSA 211:59; and any balance required to make the remittances herein directed shall be a charge upon the fish and game fund established by RSA 206:33.

Further amend said bill by striking out section 2 and inserting in place thereof the following:

2 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. London of New London the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

### **Concurrent Resolution**

*Whereas*, the Northeastern Water and Related Land Resources Compact provides a means for coordinated planning of resource development in New England with consequent benefit to the people of the region; and

*Whereas*, the Compact has been enacted by Connecticut, Massachusetts, New Hampshire and Rhode Island and requires only enactment by Congress to become effective;

*Now, therefore, Be It Resolved* by the Senate, the House of Representatives concurring, that the General Court of the State of New Hampshire hereby requests that the Congress of the United States enact at this session either HR 4207 or other substantially similar bills to put the Northeastern Water and Related Land Resources Compact into effect; and

*Be It Further Resolved*, that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and each member of the Congress from this State.

The concurrent resolution was referred to the Resources, Recreation and Development committee.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

### **Concurrent Resolution**

Resolved by The Senate, The House concurring that

*Whereas*, we The Members of the General Court, acknowledge the facts set forth in the report of the advisory committee, established by Chapter 221, Section 16, of the Laws of 1961, in substance, that pay scales in New Hampshire State Government service are not now commensurate with salaries paid for like skill, knowledge, and performance required, in either industry or in neighboring states; and

*Whereas*, we have a desire to erase these inequities were funds available to us; and

*Whereas*, State Officials and Employees, in the course of their daily work do acquire valuable knowledge of departmental operations and do formulate ideas relating to possible changes in operational procedures, which if put into practice might result in effecting efficiencies and economies sufficient to free funds for more equitable pay scales; and

*Whereas*, State personnel both in supervisory and subordinate positions tre respectfully reticent to express to us this knowledge and these ideas;

*Now Therefore Be it Resolved By the Senate, The House Concurring*; that authorization be granted to a committee composed of members of the General Court, to acquire this information through the media of a questionnaire, substantially as follows, circulated to a representative number of State Departments, Institutions and/or Agencies.

Upon adoption of this resolution a committee of four persons, two members of the Senate to be appointed by the President of The Senate, and two members of the House of Representatives to be appointed by The Speaker, shall be appointed to perform all duties required by this resolution.

Said committee shall provide a secret ballot box for each participating department. Said committee shall further provide, distribute, receive and analyze the questionnaires and make a report on the findings to The General Court not later than

.....

## Questionnaire

### FOREWORD:

The Members of the General Court of The State of New Hampshire, realizing that in the course of your daily work you do acquire certain valuable knowledge with regard to departmental operations; and, that you do formulate ideas relative to methods of improvement in departmental procedures; which if put into daily practice might result in effecting efficiencies and economies sufficient to free funds to permit The General Court to approve the recommendations of the Advisory Committee established by Chapter 221, Section 16, of the Laws of

1963, either in whole or in part; request that you complete the Questionnaire set forth below, in accordance with the following instructions.

### INSTRUCTIONS:

The participating department will be provided with a secret ballot box.

*Questionnaires are not to be signed, nor is classification or official title to be given.*

The department head or his designated employee or employees, shall distribute to each employee or official, one questionnaire and one envelope in which the questionnaire shall be placed and the envelope sealed prior to deposit in the secret ballot box.

All questionnaires shall be completed not later than . . . .

The department head shall inquire of each employee if he has complied with the request, after which, he shall deliver the secret ballot box to the Clerk of The Senate.

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### QUESTIONS:

1) Do you believe that improvements could be made in the State Personnel System that would provide better working conditions for you and your associates? If so will you please list your suggestions for improvement. . . . .

. . . . .

2) Do you believe that increased salary grades alone, will produce more efficiency in your department? . . . . .

. . . . .

3) What "fringe" benefits do you believe should be provided for State Employees, and Why? . . . . .

*Questionnaire:*

. . . . .

4) Do you believe that "Longevity Pay" now provided to long-service employees should start at a time earlier than at the end of 10 years of service; if so why and what time and rate? .....

5) Do you believe that increased salaries and "fringe" benefits will result in building a higher calibre, permanent, and efficient staff truly dedicated to the service of the State, and why? .....

6) In your opinion is there duplication of work in your department which could be eliminated without detriment to the department's operation? What changes do you suggest and why? .....

7) Do you feel that your own ability and capability is now being put to maximum use? .....

#### *Questionnaire:*

8) Would you be willing to assume extra duties without complaint to improve the general operating procedures in your department, providing this extra effort on your part would produce more efficiency and economy? .....

9) Do you feel that the "terms of employment" are sufficiently emphasized to all employees, especially new employees, to eliminate any misunderstanding, and to promote a cooperative spirit and high morale within the department? If not,

what suggestions do you offer to accomplish this? . . . . .  
 . . . . .  
 . . . . .  
 . . . . .  
 . . . . .

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If you have any other comments or suggestions or wish to extend your answers beyond the space allowed, please feel free to add whatever pages are required to do this to this form, without fear of identification or retribution.

Special Committee:

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The concurrent resolution was referred to Executive Departments and Administration committee.

### Resolutions

Mrs. Ainley of Manchester offered the following resolution for the Manchester Delegation:

*Whereas*, Robert Lang, son of Representative George A. Lang of Manchester, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Lang.

The resolutions were unanimously adopted.

Messrs. Barnard of Goffstown, Todd of New Boston and Wiggin of Bedford offered the following resolutions for the Hillsborough County Delegation:

*Whereas*, Ethel B. Eastman, mother of Representative Scott F. Eastman of Weare, has passed away, therefore be it



*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, extend our deep sympathy to her family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Eastman.

The resolutions were unanimously adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

HB 474, providing for the judicial review of orders transferring incorrigibles from industrial school to other state institutions, was read a third time, passed, and sent to the Senate for concurrence.

#### **Reconsideration**

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 474 and spoke against the motion.

The motion was not adopted.

\* \* \*

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 374, granting tenure to the superintendent of the Strafford County Farm.

HB 270, relative to use of poisons for the control of certain birds.

HB 424, relating to the water works in the town of Greenville.

\* \* \*

On motion of Mrs. Legasse of Portsmouth the House adjourned at 2:04 P.M.

WEDNESDAY, MAY 15, 1963

The House met at 11:00 A.M.

Prayer was offered by Guest Chaplain, Reverend Shannon Morgan from the First Congregational Church in Pittsfield, as follows:

O Thou Creator and Sustainer of mankind, before the mountains were brought forth or ever thou hadst formed the earth and the world, from everlasting to everlasting thou art God. So teach us to number our days that we may apply our hearts unto wisdom. Grant unto this legislature which represents the people of New Hampshire wisdom, conviction, and courage. Help us, as did our forefathers in their heroic hour, to pledge our lives and all that we possess for the fulfilment of the ideal of human freedom. Make strong our hearts and patient our spirits. May thy power be our courage and may the light of thy countenance give us strength in our inner spirits, that we may not falter in the times which test us to the uttermost. May thy will be accomplished on earth, may righteousness be victorious, and may all men learn to know themselves as brothers and sons of one Heavenly Father. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Tarrant of Pittsfield led the Convention in the Pledge of Allegiance to the Flag.

### **Introduction of Special Guests**

The Chair introduced the Department Commander of New Hampshire Veterans of Foreign Wars Salvatore Saraceno, and National Commander in Chief, Veterans of Foreign Wars, Byron B. Gentry of California. Commander Gentry addressed the House.

\* \* \*

Mr. Smith of Plymouth issued an invitation to the General Court to attend the Bi-Centennial celebration to be held at Plymouth next July and presented Governor King a medal which has been struck off to commemorate the Bi-Centennial.

### **Introduction of Guests of the House**

The Chair introduced the following groups as guests of the House:

A group of Senior class students from Exeter High School, courtesy of the Exeter Delegation.

A group of students from the Brookline Elementary school, courtesy of Mr. Farwell of Brookline.

A group of students from the Pembroke Elementary school, courtesy of the Pembroke Delegation.

A group of 6th grade students at the Conant school of Concord, courtesy of Mr. Gove of Concord.

### **Leaves of Absence**

Mr. Ferguson of Concord was granted a leave of absence for today and Thursday on account of illness.

Mr. Hayward of Milford was granted leave of absence for the day on account of important business.

### **Committee Reports**

HB 368, establishing the department of state police, Mr. Stafford of Laconia for Executive Departments and Administration. Inexpedient to legislate.

Mr. Willey of Campton moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Kearns of Manchester moved that further consideration of HB 368 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Messrs. Stafford of Laconia, McMeekin of Haverhill, Peterson of Peterborough, Stevenson of Bethlehem, Goodhue of Gilford and Mrs. Clark of Lee and Mrs. Brown of Sandwich spoke in favor of the motion.

Mrs. Frizzell of Charlestown moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to indefinitely postpone HB 368.

The motion was adopted.

HB 337, relating to hours of labor, one day rest in seven, and payment of wages, Mr. Ferguson of Concord for Labor. Ought to pass with amendment.

### **Amendment to HB 337**

Amend paragraph I of RSA 275:44 as amended by section 3 of said bill by striking out the words "at the time of discharge" in the third line and inserting in place thereof the word, within seventy-two hours, so that said paragraph as amended shall read as follows:

I. Whenever an employer discharges an employee, the employer shall pay the employee's wages in full within seventy-two hours.

Amend paragraph II of RSA 275:44 as amended by section 3 of said bill by inserting after the word "quitting" in the ninth line the words, except those employed on piece work, which shall be due on the next regular payday, so that said paragraph as amended shall read as follows:

II. Whenever an employee quits or resigns, the employer shall pay the employee's wages no later than the next regular payday, as provided under section 43 of this act, either through the regular pay channels or by mail if requested by the employee, except that if the employee gives at least one pay period's notice of intention to quit the employer shall pay all wages earned by the employee at the time of quitting, except those employed on piece work, which shall be due on the next regular payday.

Amend RSA 275:46 as amended by section 3 of said bill by inserting after the word "perform" in the fourth line the words, on a common site or location, so that said section as amended shall read as follows:

275:46 Prime Contractor's Responsibility for Wage Payments. Whenever any person shall contract with another for the performance of any work which the contracting person has undertaken to perform on a common site or location, he shall become civilly liable to employees engaged in the performance

of work done under such contract for the payment of wages, exclusive of liquidated damages, as required by sections 43, 44 and 45 of this act, whenever and to the extent that the employer of such employees fails to pay such wages, and the employer of such employees shall be liable to such person for any wages paid by him under this section.

Amend paragraph II of RSA 275:49 as amended by section 3 of said bill by striking out said paragraph and inserting in place thereof the following:

II. Notify his employees of any changes in the arrangements specified above prior to the time of such changes.

Amend paragraph III of RSA 275:49 as amended by section 3 of said bill by striking out the words "comparable matters" in the fifth line and inserting in place thereof the words, other fringe benefits, so that said paragraph as amended shall read as follows:

III. Make available to his employees in writing or through a posted notice maintained in a place accessible to his employees employment practices and policies with regard to vacation pay, sick leave, and other fringe benefits.

Amend paragraph IV of RSA 275:49 as amended by section 3 of said bill by striking out the words "an itemized" in the first line and inserting in place thereof the word, a, so that said paragraph as amended shall read as follows:

IV. Furnish each employee with a statement of deductions made from his wages under section 48 for each pay period such deductions are made,

Amend RSA 275:52 as inserted by section 4 of said bill by inserting after the word "who" in the third line the word, willfully, so that said section as amended shall read as follows:

275:52 Penalties. Any employer who willfully violates any provision of sections 43 or 44 of this act or who willfully fails to comply with any other requirements of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars, for each separate offense, or by imprisonment of not less than ten days or more than one year, or by both such fine and imprisonment.

Amend paragraph III of RSA 275:53 as inserted by section 4 of said bill by striking out the word "shall" in the second line and inserting in place thereof the word, may, and by striking out the words "including costs or fees of any nature" in the fourth and fifth lines, so that said paragraph shall read as follows:

III. The court in any action brought under this subsection may, in addition to any judgment awarded to the plaintiff or plaintiffs, allow costs of the action, and reasonable attorney's fees, to be paid by the defendant. Such attorney's fees in the case of actions brought under this subsection by the commissioner shall be remitted by the commissioner to the state treasurer. The commissioner shall not be required to pay the filing fee or other costs or fees of any nature or to file bond or other security of any nature in connection with such action or proceedings supplementary thereto, or as a condition precedent to the availability to the commissioner of any process in aid of such action or proceedings. The commissioner shall have power to join various claimants in one preferred claim or lien, and in case of suit to join them in one cause of action.

Amend section 5 of said bill by striking out the words "as of July 1, 1963" and inserting in place thereof the words, sixty days after passage, so that said section as amended shall read as follows:

5 Takes Effect. This act shall take effect sixty days after passage.

\* \* \*

Mr. Angus of Claremont explained the bill.

The amendment was adopted and the bill was ordered to a third reading.

HB 531, relative to unemployment compensation, Mr. Maloomian of Somersworth for Labor. Ought to pass.

Mr. Angus of Claremont explained the bill.

(discussion ensued)

Mr. Charland of Franklin spoke against the bill.

Mr. Angus of Claremont spoke a second time in favor of the bill.

The bill was ordered to a third reading.

SB 30, providing for the development and redevelopment of areas of vacant or predominantly vacant land which are substandard or blighted, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to SB 30**

Amend section 2 of the bill by inserting at the end thereof the words, Notwithstanding the provisions of paragraph VI of RSA 203:3, the authority conferred by this section shall be exercised only within the territorial limits of the municipality for which the housing authority is created, so that said section as amended shall read as follows:

2 Authority Granted. Amend RSA 205 by inserting after section 2-a as inserted by 1959, 52 the following new section: 205:2-b Development Authorized. Any housing authority now or hereafter established pursuant to RSA 203 may carry out as a redevelopment project or as a part of a redevelopment project in any area in which a redevelopment project is determined to be necessary by a housing authority, any work or undertaking to develop or redevelop an area of vacant or predominantly vacant land which is substandard or blighted or in the process of becoming blighted (1) because it is unduly costly to develop or redevelop such an area through the ordinary operations of private enterprise (a) by reason of the existence of ledge, rock, unsuitable soil or other physical conditions or because of the necessity for unduly expensive excavation, fill or grading, or (b) by reason of the need for unduly expensive foundations, retaining walls or unduly expensive measures for waterproofing structures or for draining the area or for the prevention of the flooding thereof or for the protection of adjacent properties and the water table therein or for unduly expensive measures incident to building around or over rights-of-way through the area or for otherwise making the area appropriate for sound development, or (2) because obsolete, inappropriate or otherwise faulty platting or subdivision, division of the area by rights-of-way, diversity of ownership of plots, inadequacy of transportation facilities or other utilities, inadequacy of access to the area, tax and special assessment delinquencies, a substantial change in business or eco-

conomic conditions or practices, a deterioration of site improvements or facilities, an abandonment or cessation of a previous use or of work on improvements begun but not feasible to complete without the aids provided by this chapter or any combination of the foregoing or other conditions in any such area which are not being remedied by the ordinary operations or private enterprise, result in any such area not being used at all or result in any such area being used in an unplanned, haphazard, or piecemeal manner with building on small parcels or sections of any such area without any overall plan or design, so that in essence any such area is detrimental to the safety, health, morals, welfare or sound growth of the community in which it is situated. The powers granted in this section are in amplification of and in addition to the powers granted in sections 2 and 2-a of this chapter, with respect to the inclusion of areas of vacant or predominantly vacant land in a redevelopment project. Notwithstanding the provisions of paragraph VI of RSA 203:3, the authority conferred by this section shall be exercised only within the territorial limits of the municipality for which the housing authority is created.

\* \* \*

The amendment was adopted.

At the request of Mr. Newell of Concord, Mr. Casassa of Hampton explained the bill.

(discussion ensued)

Mr. Urie of New Hampton spoke in favor of the bill.

(discussion ensued)

Mr. Tuttle of Dover moved that SB 30 be recommitted to the committee on Resources, Recreation and Development and spoke in favor of the motion.

(discussion ensued)

Messrs. Hill of Conway and Goodhue of Gilford spoke in favor of the motion.

Mr. Feldman of Manchester spoke against the motion.

Mr. Peterson of Peterborough and Mrs. Grey of Canaan spoke in favor of the motion.

The motion was adopted.



HB 419, relative to rate of taxation in unorganized places for education of school children, Mr. Colbath of Dover for Ways and Means. Ought to pass with amendment.

### **Amendment to HB 419**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to the school tax in unincorporated places, unorganized towns, and towns where by act of the legislature the school districts have been abolished and the abolition of certain school districts.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 State Board of Education. Amend paragraph IV of RSA 186:11 by striking out said paragraph and inserting in place thereof the following: IV. Unorganized Towns, Unincorporated places, and Towns where School Districts have been abolished by act of the legislature. Provide for the education of all the children residing in the unorganized towns, the unincorporated places, and the towns where by act of the legislature the school districts have been abolished by establishing standard elementary schools in such towns or places or by furnishing tuition and board or tuition and transportation at some approved public elementary or high school in another district.

2 School Taxes. Amend RSA 198:16 (supp) as amended by 1955, 224:2 by striking out the same and inserting in place thereof the following: 198:16 Unorganized Places. The tax commission shall as of April 1, 1964 and annually thereafter assess against the real and personal estate in the unorganized towns, unincorporated places or towns where by act of the legislature the school districts have been abolished a tax in an amount equal to the sum certified to it by the department of education as provided in RSA 198:16-a together with an overlay not exceeding five per cent of such sum if deemed necessary. The unexpended proceeds of this tax and any balance of the school tax assessed heretofore under any provision of the Revised Statutes Annotated pertaining to the assessment and collection of school tax money in the unincorporated places, unorganized towns, and towns where by act of the legislature

the school districts have been abolished and the education of the children made the responsibility of the state in effect prior to the passage of this act shall constitute a fund credited to the appropriation of the department of education available for expenditure by the said department from time to time in such amounts as may be deemed advisable by the said department exclusively for the education of the children from such unorganized towns, unincorporated places, and towns where by act of the legislature the school districts have been abolished and the education of the children made the responsibility of the state. No portion of such fund shall lapse, nor be used for any other purpose than as set forth above, nor be transferred to any other appropriation. The provisions of RSA 81 as amended by 1955, 224:1, and 1961, 106 shall apply to the collection and abatement of the tax assessed hereunder.

3 Certification. Amend RSA 198 by inserting after section 16 (supp) as amended by 1955, 224:2, the following new section: 198:16-a Certification of School Expenses. The department of education shall annually on or before August first certify to the tax commission the amount of money deemed necessary to be raised by taxation under the provisions of RSA 198:16 for the education of the children from the unorganized towns, unincorporated places, or towns where by act of the legislature the school districts have been abolished and the education of the children made the responsibility of the state.

4 School Districts Abolished. The school districts of the towns of Waterville and Hart's Location are hereby abolished. Any property of said districts consisting of school-houses, apparatus, and other property which said districts so abolished might lawfully sell or convey shall be transferred and become the property of the towns of Waterville and Hart's Location respectively, subject however to any debts of the said respective school districts. The tax assessed as of April 1, 1963 under the provisions of RSA 198:1 by the towns of Waterville and Hart's Location shall be credited to the fund provided for by RSA 198:16 as amended by 1955, 224:2.

5 Federal Funds. Amend RSA 219:25 by striking out said paragraph and inserting in place thereof the following: 219:25 Unorganized Towns and Unincorporated Places. All sums so apportioned to unorganized towns and unincorporated places shall be expended for the benefit of the public schools and

public roads in the counties in which such towns and places are located, in such manner as the governor and council shall, after receiving the advice and recommendations of the commissioner of public works and highways and the commissioner of education, determine giving due consideration to the expenditure of a portion of such sums as a part payment toward the cost of the education of the children residing in such unorganized towns and unincorporated places as provided for under paragraph IV of RSA 186:11.

6 Temporary Provisions. Whereas under the provisions of RSA 198:16 the tax commission shall annually assess a tax of five dollars on the certain property in unincorporated places and in towns where the school districts have been abolished, it is the intent of the legislature that for the assessment under said section for April 1, 1963, the tax shall be at the rate of two dollars instead of five dollars as stated in said section. Other than for the change in rate the provisions of RSA 198:16 shall continue in effect until March 31, 1964.

7 Takes Effect. The provisions of section 1 shall take effect sixty days after passage. The provisions of section 2, 3 and 5 shall take effect April 1, 1964. The provisions of section 4 shall take effect June 30, 1963. The provisions of section 6 shall take effect upon passage of this act.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 375, relative to veterinarians, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule No. 6. Ought to pass with amendment.

### **Amendment to HB 375**

Amend section 1 of said bill by striking out the first seven lines and inserting in place thereof the following:

1 Veterinarians. Amend RSA 332:2 (supp) as amended by 1955, 154:1, by striking out said section and inserting in place thereof the following: 332:2 Examiners.

\* \* \*

On motion of Mr. Adams of Madbury the House concurred in the amendment.

SB 36, entering into the Interstate Library Compact, enacting the same into law and for related purposes, Mrs. Potter of

Northumberland for Engrossed Bills under Joint Rule No. 6. Ought to pass with amendment.

### **Amendment to SB 36**

Amend section 1 of said bill by striking out the first five lines: and inserting in place thereof the following:

1 Interstate Library Compact. Amend RSA by inserting after chapter 201-A (supp) as inserted by 1963, 21:1 the following new chapter:

#### **Chapter 201-B**

#### **Interstate Library Compact**

201-B:1 Compact Enacted. The Interstate

Further amend said bill by renumbering the section numbered 201-A:2 to read 201-B:2; by renumbering the section numbered 201-C:3 to read 201-B:3; by renumbering the section numbered 201-C:4 to read 201-B:4; to renumber the section numbered 201-C:5 to read 201-B:5 and to renumber the section numbered 201-C:6 to read 201-B:6.

Further amend said bill by renumbering the last section of the bill from "7" to 2.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the amendment.

\* \* \*

The Chair announced that today is the birthday of Mrs. Rubins of Rochester and Mr. Hughes of Brookfield.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit the business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the house adjourns today it be to meet tomorrow at 11:00 A.M.

### **Report Received**

The 21st Annual Report of the Atlantic States Marine Fisheries Commission has been received and placed on file in the Clerk's office.

**Afternoon Session****Third Readings**

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 419, relating to the school tax in unincorporated places, unorganized towns, and towns where by act of the legislature the school districts have been abolished and the abolition of certain school districts.

HB 337, relating to hours of labor, one day rest in seven, and payment of wages.

HB 531, relative to unemployment compensation.

**Reconsideration**

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 531 and spoke against the motion.

The motion was not adopted.

\* \* \*

On motion of Mrs. Clark of Lee the House adjourned at 12:04 P.M.

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THURSDAY, MAY 16, 1963

The House met at 11:00 A.M.

**Joint Convention**

Prayer was offered by the Chaplain as follows:

Gracious Father, we turn our thoughts to our man in space, Leroy Gordon Cooper in FAITH "7", praying for Thy continued blessing for the successful completion of this mission. May the evidence of our faith in the American Way be ever confirmed and strengthened by the exemplary service of our people in their varied endeavors. Grant Thy blessing upon all members of our military and governmental services as they strive for the continuation and promotion of peace in this troubled world. Guide and direct us in our legislative and ex-

ecutive deliberations today — may we adequately sense the needs of those committed to our trust — effectively employing the virtues of love, justice, and mercy. O Father of Love, may we continually strive to serve Thee in all that we do in Thy Name. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Sadler of Portsmouth led the Convention in the Pledge of Allegiance to the Flag.

### **House Introduction of Guests**

The Chair introduced the following groups of students as guests of the House today:

A group of 5th and 6th grade students from Mont Vernon, courtesy of the Hillsborough Delegation.

A group of 6th grade students from the St. Patrick's School in Portsmouth, courtesy of Mrs. Sadler and Mr. Keefe of Portsmouth.

Members of the cast of the Mikado to be presented by New England College students.

### **Leaves of Absence**

Messrs. Maglaras and Smith of Dover, Urie of New Hampton, McGee of Lincoln and Lavallee of Nashua were granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 594, authorizing N. H. College of Accounting & Commerce to grant degrees. (Plourde of Pembroke) to Education.

HB 595, relative to 1963 town meeting in the town of Windham. (Rules Committee — Herbert of Windham) to Municipal and County Government.

HB 596, adopting the Uniform Narcotic Drug Act. (Pappagianis of Nashua) to Public Health.

### Committee Reports

HB 283, relative to taxation of real estate, Mr. Healy of Manchester for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 440, relative to the purchase of sand or gravel from the bed of public waters, Mr. Healy of Manchester for Judiciary. Inexpedient to legislate.

Mr. Welch of Concord moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Healy of Manchester spoke against the motion.

(discussion ensued)

Mr. O'Neil of Chesterfield spoke in favor of the motion.

(discussion ensued)

Mrs. Grey of Canaan moved that HB 440 be committed to the Resources, Recreation and Development committee and spoke in favor of the motion.

The motion was adopted.

HB 466, relating to extradition of juveniles, Mrs. Cooper of Nashua for Judiciary. Ought to pass with amendment.

### Amendment to HB 466

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Extradition of Juveniles. Amend RSA 169 by inserting after section 21 the following new section: 169:21-a Petition by County Attorney. If facts are presented to the county attorney establishing that a person under the age of eighteen has been guilty of conduct which constitutes a felony or would amount to a felony in the case of an adult and if such person is not within the jurisdiction of this state, the county attorney may file a petition with the judge of the municipal court which would otherwise have jurisdiction under the provisions of this chapter. The petition shall set forth the nature of the offense with which the person is charged and shall specify his whereabouts if known. On receipt of such petition the court may

summarily order the county attorney to proceed against such person under regular criminal procedures, and without regard to the provisions of this chapter. Pending determination by the superior court as herein provided and pending final disposition of the matter such person shall be bailable with sufficient sureties as in the case of adults and in default thereof may be committed to the custody of the probation officer or detained at the industrial school unless detention elsewhere is ordered by the superior court. The superior court shall determine, after hearing, whether such person shall be treated as a juvenile under the provisions of this chapter or whether the case shall be disposed of according to regular criminal procedures.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

Concurrent Resolution ratifying a proposed amendment to the Constitution of the United States of America, relative to the failure to pay and poll tax or other tax, Mr. Spanos of Newport for Judiciary. Resolution be adopted.

The concurrent resolution was adopted.

HB 297, authorizing the town of Salem to provide life and health insurance for its employees, Mr. Morrill of Salem for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 297**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act authorizing counties to provide life and health insurance for their employees.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Power of Counties. Amend RSA 23 by inserting after 23:5 the following new section:

23:6 Life and Health Insurance. Every county shall have the power to provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combination of



such benefits, for all regular employees of the county and their dependents.

2 Powers of Convention. Amend RSA 24 by inserting after 24:13 the following new sections:

24:13-a Appropriations for Life and Health Insurance. The county convention of any county shall have the power to raise and appropriate such sums of money as it judges necessary to provide group plan life, accident, medical, surgical and hospitalization insurance benefits, or any combination of such benefits, for all regular employees of the county and their dependents. The cost may be paid wholly or partly by the county.

24:13-b Sponsoring certain Benefits. A county may at any legal meeting vote to sponsor a group life, accident, medical, surgical and hospitalization insurance benefit or any combination of such benefits for regular employees of the county and their dependents under which plan said employees agree to pay the premiums. In such case the county treasurer is authorized to withhold from the compensation of such employees who agree to such plan the amount of the premiums and pay over the same to the company furnishing such benefits.

3 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 338, relative to licensing of schools and shops for hairdressers and manicurists, Mrs. Arsenault of Randolph for Public Health. Ought to pass with amendment.

### **Amendment to HB 338**

Amend section 1 of said bill by striking out section 1 and inserting in place thereof the following:

I Hairdressers. Amend subparagraph (a) of RSA 314:10, I, by striking out said subparagraph and inserting in place thereof the following: (a) Hairdresser. Any person who is (1) at least sixteen years of age, (2) who is of good moral character and temperate habits, (3) who is a high school graduate or who has had an education equivalent to a high school education, according to the standards of the public high schools of

this state, (4) who has had training of at least fifteen hundred hours extending over a school term of at least nine months in a school of cosmetology, approved by the board, (5) and who has passed the hairdresser's examination or, (6) any person who has complied with the above requirements in a state whose requirements are substantially the same as in this state, and in which hairdressers licensed in this state are given like recognition.

Amend section 2 of the bill by striking out the word "four" in the eleventh line and inserting in place thereof the word, five, and by striking out the words "gratuities to students shall not be allowed" in the twelfth and thirteenth lines, so that said section as amended shall read as follows:

2 Approved Schools. Amend RSA 314 by inserting after section 13 the following new section: 314:13-a Students. In addition to the requirements of section 13 students must have supervised practice, which shall consist of rendering services to persons other than students but such practices shall be of a clinical nature and under direct supervision of an instructor. Schools may charge for these services the reasonable costs involved, but such services shall not be advertised to the public and shall not be available for more than five hours of any day.

Amend section 3 of the bill by striking out the words "two years" in the fourth and tenth lines and inserting in place thereof the words, eighteen months; further amend by striking out the word "four" in the sixth and twelfth lines and inserting in place thereof the word, three, so that said section as amended shall read as follows:

3 Requirement for Shop. Amend RSA 314:18 by striking out the words "one year" in the second and third lines and inserting in place thereof the words, eighteen months, and by inserting after the word "shop" in the third line the words, consisting of not less than three thousand hours, so that said section as amended shall read as follows: 314:18 Shop License. Any licensed hairdresser or manicurist who has obtained a license as such, as above provided, and who has completed eighteen months of actual employment in a shop, consisting of not less than three thousand hours, shall upon written application, accompanied by the required fees, receive a license to operate a shop in this state, provided said shop shall fulfill all requirements set forth in the rules and regulations of the

board. Such license may thereafter be renewed upon payment of the renewal fee. A shop license as herein provided may be issued for short terms not exceeding three months, upon payment of the required fee. Booths attached to or within a shop that are operated independently thereof shall be subject to registration fees in the same manner as an independent shop.

Amend section 4 by striking out the words "two years" in the fourth and sixteenth lines and inserting in place thereof the words, eighteen months, and by striking out the word "four" in the fifth and eighteenth lines and inserting in place thereof the word, three, so that said section as amended shall read as follows:

4 Special Licenses. Amend RSA 314:19 by striking out the words "one year of actual employment in a shop" and inserting in place thereof the words, eighteen months of actual employment in a shop, consisting of not less than three thousand hours, so that said section as amended shall read as follows: 314:19 Registered Owner. In addition to the registration of shops for hairdressing as provided in section 18, the board may issue a special license to an owner of a hairdressing shop who does not himself personally engage in hairdressing; provided said shop shall fulfill all requirements set forth in the rules and regulations of the board and further provided that said owner has paid the required fee for hairdresser shop and employs as manager of said shop a duly licensed hairdresser who has previously completed eighteen months of actual employment in a shop, consisting of not less than three thousand hours, as provided in section 18. Nothing herein contained shall operate to authorize such owner to practice hairdressing unless he shall have a hairdressers' license so to do.

\* \* \*

Mr. Dupont of Manchester moved that further consideration of HB 338 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mrs. Shea of Keene spoke against the motion.

Mrs. Martel of Manchester spoke in favor of the motion.

Mrs. Bennett of Richmond spoke against the motion.

Mrs. Howard of Bartlett and Mrs. Rubins of Rochester spoke against the motion.

Mrs. Schwaner of Plaistow spoke in favor of the motion.

The motion to indefinitely postpone was adopted.

HB 408, relating to the board of water commissioners of the city of Somersworth, Mr. Habel of Somersworth for the Somersworth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 407, relating to the salaries of members of the Somersworth city council, Mr. Habel of Somersworth for the Somersworth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 435, relative to the sewerage system in the city of Somersworth, Mr. Habel of Somersworth for the Somersworth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 495, to legalize greyhound racing in New Hampshire and to establish a state grayhound racing commission, Mr. Kearns of Manchester for Ways and Means. Inexpedient to legislate.

Mrs. Potter of Northumberland moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Kearns of Manchester moved that further consideration of HB 495 be indefinitely postponed, and spoke in favor of the motion.

Mr. Blanchard of Jackson spoke against the motion.

Mr. Bevan of Durham spoke in favor of the motion.

(The Chair declared a 45 minute Recess)

### After Recess

Mr. Lowe of Hanover requested a quorum count.

277 members were present at the quorum count.

Mr. Lowe of Hanover spoke against the motion.

Messrs. Plumer of Bristol, Sheridan of Berlin, Coutermarsh of Lebanon, Larty of Haverhill, Taft of Greenville and Angus of Claremont spoke in favor of the motion.

Messrs. Stevenson of Bethlehem, Pickett of Keene and Stickney of Salem spoke against the motion.

Mrs. Potter of Northumberland spoke a second time against the motion.

### Point of Information

Mr. Diffenderfer of Ossipee rose on a point of information.

\* \* \*

Mr. Fortier of Berlin moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question being on the motion to indefinitely postpone HB 495.

Mr. Blanchard of Jackson demanded the Yeas and Nays and the roll was called as follows:

Yeas — 222

CARROLL COUNTY: Diffenderfer, Remick, Claffin.

MERRIMACK COUNTY: Phelps, Hanson, Moore, Hutchinson, York, Upton, Henry, Dame of Concord, Bingham, MacDonald, Sanders, Gove, Newell of Concord, McKay, Stevens, Kelley of Franklin, Gilman, Charland, London, Thompson of Northfield, Robinson, Tarrant, Thompson of Wilnot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin, Whitney, Barnard, Bartlett, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Pickering, Brocklebank, Gallagher, Legallee, Ainley, Pettigrew, Geisel, Goode, Dion of Manchester, Cullity, Mahoney of Manchester, ward 4, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Dupont, Leclerc, Martel, Champagne, Cote, Delisle, O'Gara, Boettcher, Bergeron, Kearns, Hurley, Kendrigan, Noel, Nalette, Lesmerises, Gauthier, Tremblay of Manchester, Vachon, Carter of Milford, Cobleigh, Cooper, Underhill, Dionne of Nashua, ward 2, Thibault, Belcourt, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Boisvert, Chartrain, Mason, Bouley, Dubois, Latour, Sabluski, Todd, Garland, Peabody, Peterson, Rice, Eastman of Weare, Heald of Wilton.

CHESHIRE COUNTY: O'Neil, Gowing, Turner, Shea of Keene, ward 2, Heald of Keene, Bennett of Keene, Faulkner,

Oliver, Forbes, Bennett of Richmond, Allen of Rindge, Hackler, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Angus, Campbell, Nahil, Bailey, Downing, Merrifield.

GRAFTON COUNTY: Plumer, Willey, Hayward of Hanover, Johnson of Hanover, Larty, McMeekin, Beard, Coutermarsh, Whipple, Allard of Littleton, Martin of Littleton, Park, Bell, Barney, Anderson of Warren.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Dumont of Berlin, Vashaw, Bouchard, Marsh, Graham, Sherman, Shute, Fogg, Arsenault.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Underwood, Cummings, Scott, Collishaw, Eastman of Exeter, Wheeler, Weeks, Spollett, Casassa, Ring, Shindledecker, Clark of Kingston, Shepard, McDonough, Twardus, Palmer of Plaistow, Keefe, McEachern, Murch, Stafford of Portsmouth, Sadler, Dame, White of Portsmouth, Frink, Legasse, Langford, Greene of Rye, Young, Canty, Grant, Morrison, Felch, Barker.

STRAFFORD COUNTY: Berry, Blanchette, Leighton, Nelson, Fellows, Colbath, Richardson, Bevan, Crouch, Littlehale, Canney, Adams of Madbury, Dawson, Moulton, Rolfe, Marsan, St. Pierre, Chase, Johnson of Rochester, Clement, Varney, Malloomian, Cormier.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Uhlenberg, Lacaille, McCarthy, Head, Prescott, Hayner, O'Shan, Stafford of Laconia, Varrell, Allen of Meredith, Joslyn, Howe.

Nays — 138

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Roberts, Taylor of Effingham, Blanchard, Blake, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro.

MERRIMACK COUNTY: Guilbeault, Fairbanks, LaFlamme, Hancock, Smith of Concord, Andersen of Concord, Welch, Dempsey, Doon, LaFond, Lambert, Reddy, Brown of Loudon, Plourde, Bigelow.

HILLSBOROUGH COUNTY: Farwell, Eaton, Bednar, Claveau, Provencal, Warren, Feldman, Conover, Bruton, Hayes, McDermott, O'Conner, LaFrance, Tessier, Moran, Wade, Belanger, Capistran, Levasseur, Allard of Manchester, Rousseau,

Gamache, Grady, Ferguson of Milford, Hayward of Milford, Cole, Marcoux, Bissonnette, Desmarais of Nashua, Dumais, Karnis.

CHESHIRE COUNTY: Totman, Watkinson, Stearns, Cournoyer, Desmarais of Jaffrey, Keating, Pollock, Belletete, Pickett, Russell, Bouvier, Abare, Ballam, Smith of Walpole.

SULLIVAN COUNTY: Cann, Gaffney, Barrows, D'Amante, Guest, Weber, Marx, Spanos, Hood.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Bowles, Morse, Nettleton, Low, Hampson, Adams, Demers, Lewis, Brummer, Kelley of Littleton, Cushman, Smith of Plymouth, Bean, Berringer.

COOS COUNTY: Fontaine, Gagnon, Nash, Bushey, Potter, Brooks, Stinson, Taylor of Whitefield.

ROCKINGHAM COUNTY: Persson, Watts, Gay, Kimball of Derry, White of Derry, Nickerson, Palmer of Kensington, Sewall, Cheney, Carter, Pinkham, Schwaner, Osborn, Chandler, Cavalieri, Coussoule, Morrill, Stickney, Herbert.

STRAFFORD COUNTY: Grimes, Hemond, Drew, Clark of Lee, Dumont of Rochester, Rubins, Beaudoin, Habel, Hebert, Vincent, Bennett of Strafford.

BELKNAP COUNTY: Bolduc, Harkins, Normandin.

Mrs. Brown of Sandwich voting Yes paired with Mrs. Gray of Canaan voting No.

\* \* \*

and HB 495 was indefinitely postponed.

Mr. Morrill of Salem moved that the reference whereby HB 275, relative to service exemption from taxation, was referred to the Ways and Means committee be vacated and that the bill be referred to the committee on Military and Veterans' Affairs.

The motion was adopted.

\* \* \*

The Chair announced that today is the birthday of Mrs. Demers of Lebanon.

\* \* \*

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today to meet next Tuesday morning at 11:00 A.M., it be in honor of Astronaut Cooper.

### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 297, authorizing counties to provide life and health insurance for their employees.

HB 466, relating to extradition of juveniles.

HB 435, relative to the sewerage system in the city of Somersworth.

HB 407, relating to the salaries of members of the Somersworth City Council.

HB 408, relating to the board of water commissioners of the city of Somersworth.

\* \* \*

On motion of Mrs. White of Portsmouth the House adjourned at 3:19 P.M., in honor of Astronaut L. Gordon Cooper now girdling the globe in near-perfect fashion.

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TUESDAY, MAY 21, 1963

The House met at 11:00 A.M.

### Joint Convention

Guest Chaplain, Reverend Glenn L. McKee from the Dublin Community Church offered prayer as follows:



Almighty God, who hast given us this good land for our heritage; we beseech thee, for the people of New Hampshire and for their representatives here assembled, that thou wouldst grant wisdom for our minds and devotion for our hearts. Grant courage that integrity may prevail, grant vision that constructiveness may be forthcoming, and grant fidelity throughout all peoples and leaders in this state and this nation that peace and happiness, truth and justice may be the right and experience of all. Fill our hearts with thankfulness for the opportunities of this new day and may we have that quality of righteousness that looks ever to thee for faith and guidance. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Carter of North Hampton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of 7th and 8th grade students from the Goshen-Lempster Cooperative school.

A group of 8th grade students from St. Patrick's School of Portsmouth, courtesy of the Portsmouth Delegation.

A group of 7th and 8th grade students from North Hampton, courtesy of Mr. Carter of North Hampton.

The Civics class from the 9th grade at the Rundlett Junior High School of Concord, courtesy of the Concord Delegation.

The senior class of St. Mary's School of Manchester, courtesy of the Manchester Delegation.

A group of students of the elementary school of Seabrook, courtesy of Mr. Felch of Seabrook.

### **Leaves of Absence**

Mr. Goodfellow of Dorchester was granted an indefinite leave of absence on account of illness.

Mr. Bell of Plymouth was granted leave of absence for the day on account of illness.

Mr. Abare of Troy was granted leave of absence for the day to attend a funeral.

Mr. York of Concord and Mrs. Shea of Keene were granted an indefinite leave of absence on account of illness in the family.

Mr. Peaslee of Concord was granted leave of absence for two weeks on account of illness.

Mrs. Moulton of New Durham was granted leave of absence for the week on account of illness in the family.

Mr. Phelps of Andover was granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 597, adopting a state radiation control program. (Maxham of Concord) to Public Health.

HB 598, relative to building war shelters in the city of Manchester. (Lang of Manchester) to Public Works.

HB 599, relating to counsel for indigent criminal defendants. (Peterson of Peterborough) to Judiciary.

### **Committee Reports**

HB 361, prohibiting hunting along a highway, Mr. Rolfe of Rochester for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 417, relative to ice fishing on Sunapee Lake, Mr. Cheney of Newton for Fish and Game. Ought to pass with amendment.

### **Amendment to HB 417**

Amend section 1 of the bill by inserting after "RSA 206" in the eighth line the words, No bobhouses shall be permitted on said lake and only public rights of way shall be used to

reach the lake, so that said section as amended shall read as follows:

1 Ice Fishing. Amend RSA 211 by inserting after section 6-a (supp) as inserted by 1957, 14:1, the following new section: 211:6-b Sunapee Lake. Notwithstanding any other provision of law or rules and regulations promulgated under RSA 206, Sunapee Lake shall be open to ice fishing with not more than two ice fishing devices as defined in regulations promulgated under RSA 206. No bobhouses shall be permitted on said lake and only public rights of way shall be used to reach the lake.

\* \* \*

Mr. Merrifield of Sunapee moved that further consideration of HB 417 be indefinitely postponed and spoke in favor of the motion.

Mr. D'Amante of Claremont spoke against the motion.

The motion to indefinitely postpone was lost.

The question now being on the committee amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 423, relative to taking of shiners by nets, Mr. Bushey of Northumberland for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 468, relative to revocation and suspension of drivers' licenses, Mr. Capistran of Manchester for Judiciary. Ought to pass with amendment.

### **Amendment to HB 468**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Action upon Conviction. Amend RSA 262:16 (supp) as amended by 1955, 109:3, by striking out the same and inserting in place thereof the following: 262:16 Revocation of License. Upon a conviction of a violation of sections 15, 15-a or 19 unless the defendant shall appeal from said conviction, the court or justice shall report to the director, and may, for a conviction for grossly careless or grossly negligent operation,

and shall, for conviction of any other violation under sections 15 or 19, immediately revoke the license of the person so convicted, or the right of a nonresident so convicted to operate within the state of New Hampshire, and said court or justice in the case of holders of New Hampshire licenses shall return such license with his findings marked thereon, together with the court return, to the director; and the director may revoke the license of any person who shall be convicted of a similar offense by a court of any other state, unless it shall appear that such person has appealed said conviction.

Amend section 3 of said bill by inserting after the word "lines" in the fourth line the words, further amend by striking out the word "commissioner" in the ninth and tenth lines and inserting in place thereof the word, director; and further amend said section by striking out the word "commissioner" in the seventeenth line and inserting in place thereof the word, director, so that said section as amended shall read as follows:

3 Director, Division of Motor Vehicles. Amend RSA 262:40 by striking out the words "or has appealed from a conviction of the violation of any provision of this title" in the sixth and seventh lines; further amend by striking out the word "commissioner" in the ninth and tenth lines and inserting in place thereof the word, director, so that said section as amended shall read as follows: 262:40 Suspension of License. He may order the suspension of the license of any operator or chauffeur in his discretion, and without a hearing, and may order the license to be delivered to his office, whenever he has reason to believe that the holder thereof is physically or mentally improper to incompetent person to operate motor vehicles, or is operating improperly or so as to endanger the public, or has made a material false statement in his application; and the license shall not be reissued unless, upon examination or investigation, or after hearing, the director determines that the person should again be permitted to operate.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 475, relating to trustee process on banks and similar corporations, Mrs. Frizzell of Charlestown for Judiciary. Ought to pass with amendment.

**Amendment to HB 475**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Trustee Process. Amend RSA 512 by inserting after section 9-a (supp) as inserted by 1959, 102:1, the following new section: 512:9-b Bank Accounts. When a bank, trust company, building and loan association or similar corporation is named as trustee, the trustee shall be summoned by service on an officer, person in charge, teller or office employee of such bank, trust company, building and loan association or similar corporation at its office if service is made during banking hours, and if service is made at a time other than banking hours, by serving on an officer, of such bank, trust company, building and loan association or similar corporation, and not otherwise. The trustee so served shall be chargeable only for any goods, rights or credits of the defendant which shall be in the hands of the trustee at the time of service upon the trustee.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 530, regulating the filing of liens on motor vehicles, Mr. Johnson of Hanover for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 171, to abolish capital punishment, Mr. Wildey of Westmoreland for Judiciary. Inexpedient to legislate.

Mr. Spanos of Newport moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

(discussion ensued)

Mr. Totman of Alstead moved that further consideration of HB 171 be indefinitely postponed and spoke in favor of the motion.

Mr. Capistran of Manchester spoke in favor of the motion.

(discussion ensued)

Mr. Johnson of Hanover spoke against the motion to indefinitely postpone.

(Mr. Angus of Claremont in the Chair)

Mrs. Brown of Sandwich and Mr. Fortier of Berlin spoke against the motion.

Mr. Wildey of Westmoreland spoke in favor of the motion.

### Recess

### After Recess

The question being on the motion to indefinitely postpone HB 171.

Messrs. Beard of Lebanon, Urie of New Hampton, Heald of Keene, Sheridan of Berlin and Mrs. Schwaner of Plaistow spoke against the motion.

Mr. Pryor of Ashland and Mr. Healy of Manchester spoke in favor of the motion.

Mrs. Hampson of Hebron moved the previous question and it was sufficiently seconded.

The motion was adopted.

Mr. Fortier of Berlin demanded the Yeas and Nays and the roll was taken.

Yeas — 248

COOS COUNTY: Fontaine, Gagnon, Marsh, Keough, Sherman, Shute, Potter, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Underwood, Gay, Scott, Nickerson, Hackett, Eastman of Exeter, Weeks, Shindledecker, Merrill, Palmer of Kensington, Clark of Kingston, McDonough, Sewall, Twardus, Cheney, Carter, Pinkham, Palmer of Plaistow, Murch, Stafford of Portsmouth, Dame, Osborn, Chandler, White of Portsmouth, Frink, Legasse, Langford, Greene of Rye, Young, Canty, Grant, Morrill, Morrison, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Berry, Leighton, Nelson, Fellows, Smith of Dover, Richardson, Tuttle, Bevan, Crouch, Drew, Canney, Dawson, Rolfe, Hartigan, Marsan, St. Pierre, Chase, Johnson of Rochester, Clement, Varney, Green of Rollinsford,

Maloomian, Habel, Cormier, Hebert, Vincent, Bennett of Stratford.

BELKNAP COUNTY: McAllister, Goodhue, Uhlenberg, La-caillade, McCarthy, Normandin, Head, Prescott, Hayner, O'Shan, Stafford of Laconia, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hill, Roberts, Taylor of Effingham, Blanchard, Diffenderfer, Remick, Lamprey of Tuftonboro, Fox.

MERRIMACK COUNTY: Guilbeault, Fairbanks, Hanson, Moore, Asby, Upton, Henry, Dame of Concord, Bingham, Smith of Concord, MacDonald, Ferguson of Concord, McKay, Stevens, Kelley of Franklin, Gilman, Dempsey, Doon, Reddy, Brown of Loudon, Thompson of Northfield, Plourde, Tarrant, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin, Whitney, Bartlett, Davis of Greenfield, Taft, Pickering, Bednar, Gallagher, Legallee, Warren, Ainley, Feldman, Pettigrew, Conover, Geisel, Mahony of Manchester, ward 2, Bruton, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Dupont, Healy, O'Conner, Lafrance, Leclerc, Tessier, Champagne, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Hurley, Noel, Capistran, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Grady, Vachon, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cooper, Underhill, Dionne of Nashua, ward 2, Belcourt, Sullivan, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Dubois, Latour, Lavallee, Sabluski, Desmarais of Nashua, Dumais, Todd, Peabody, Peterson, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Turner, Cournoyer, Desmarais of Jeffrey, Keating, Shea of Keene, ward 1, Pollock, Belletete, Bennett of Keene, Russell, Forbes, Bennett of Richmond, Allen of Rindge, Hackler, Ballam, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Cann, Gaffney, Campbell, Barrows, Weber, Downing, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Morse, Larty, McMeekin, Hampson, Lewis, Whipple, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Park, Cushman, Anderson of Warren, Berringer.

Nays — 101

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Connolly, Vashaw, Bouchard, Nash, Graham, Fogg, Bushey, Arsenault, Brooks, Stinson.

ROCKINGHAM COUNTY: Cummings, Watts, Kimball of Derry, White of Derry, Wylie, Spollett, Casassa, Schwaner, Keefe, McEachern, Cavalieri, Coussoule.

STRAFFORD COUNTY: Grimes, Hemon, Colbath, Littlehale, Clark of Lee, Adams of Madbury, Dumont of Rochester, Rubins, Beaudoin.

BELKNAP COUNTY: Bolduc, Matheson, Harkins, Varrell.

CARROLL COUNTY: Davis of Conway, Blake, Brown of Sandwich, Chamberlain of Wolfeboro, Claflin.

MERRIMACK COUNTY: Hutchinson, LaFlamme, Hancock, Sanders, Gove, Newell of Concord, Charland, LaFond, London, Robinson, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Van Loan, Farwell, Barnard, Hambleton, Martin of Goffstown, Brocklebank, Claveau, Provencal, Levasseur, Gamache, Thibault, Maynard, Bouley, Karnis, Garland, Rice, Eastman of Weare.

CHESHIRE COUNTY: Watkinson, Pratt, Heald of Keene, Faulkner, Pickett, Bouvier.

SULLIVAN COUNTY: Frizzell, Angus, D'Amante, Guest, Marx, Bailey, Spanos.

GRAFTON COUNTY: Stevenson, Grey, Bowles, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, Adams, Beard, Coutermarsh, Demers, McGee, Smith of Plymouth, Barney, Bean.

Mrs. Moulton of New Durham voting yes paired with Miss Cole of Nashua voting No.  
and HB 171 was indefinitely postponed.



HB 293, abolishing capital punishment, Mr. Wildey of Westmoreland for Judiciary. Majority: Inexpedient to legislate. Minority: Ought to pass with amendment.

Martha Frizzell  
William R. Johnson  
Margaret Normandin  
Harry V. Spanos  
For the Minority

The resolution of the majority was adopted.

HB 373, authorizing the Maine-New Hampshire Interstate Bridge Authority to prepare plans for additional bridge connecting Portsmouth, N. H. and Kittery, Me., Mr. Taft of Greenville for Public Works. Inexpedient to legislate, subject matter covered by pending legislation.

The resolution was adopted.

HJR 21, relative to control of the Dutch elm disease, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to HJR 21**

Amend said resolution by striking out the word "fifty" in the first line and inserting in place thereof the word, twenty-five, so that said resolution as amended shall read as follows:

The sum of twenty-five thousand dollars is hereby appropriated for the fiscal year ending June 30, 1964 and a like sum is hereby appropriated for the fiscal year ending June 30, 1965 to be expended as follows and for the following purposes: The sums hereby appropriated shall be expended by the state treasurer to reimburse any town or city whose program of control of the Dutch elm disease has been first approved by the state department of agriculture, to the extent of one dollar for each dollar expended by said town or city, provided that at no time shall the state's contribution from these funds exceed one thousand dollars to any one town or city in any one calendar year. In the event that claims against the funds hereby appropriated do not exceed the total yearly appropriation the state treasurer with the approval of the state department of agriculture may distribute additional matching funds to towns or cities which have expended in excess of one thousand dollars

in any one year toward the control of Dutch elm disease. The appropriation hereunder shall not lapse but shall be a continuing appropriation. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

The amendment was adopted and the bill was referred to Appropriations under the Rules.

\* \* \*

HJR 30, relative to mosquito problem in the seacoast area, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to HJR 30**

Amend said Joint Resolution by inserting after the word "entomologist" in the twenty-sixth line the words, is a member of the state fish and game department, so that said Joint Resolution as amended shall read as follows:

The sum of eighteen thousand dollars is hereby appropriated for an engineering, entomological and biological survey in 1963 to determine the extent, and detailed nature of salt-marsh and fresh-water mosquito problems in the seacoast area. The survey authorized hereunder shall determine the total cost, and costs for each town, for (1) construction and cleaning minor ditches in the marsh area; (2) cost of improving major drainage; (3) cost of construction or engineering structures such as culverts, dams, and embankments; (4) cost of conducting an adequate organized mosquito control program, including personnel and supplies; and (5) an estimate of the biological effects of the proposed program. The report of the survey shall be filed with the public works and highways department and copies shall be sent to the Southeast Mosquito Association and to each town studied. The report shall clearly show what permanent control measures are needed in each individual town. The appropriation hereunder shall be expended under the direction of the public works and highways department which is authorized to enter into contract for the making of the survey. Said department shall consult with the state entomologist, a member of the state fish and game depart-

ment and the Southeast Mosquito Association prior to making plans for such survey. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the resolution was referred to Appropriations under the Rules.

HB 252, authorizing the establishment of conservation commissions by cities and towns, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### Amendment to HB 252

Amend RSA 36-A:4 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

36-A:4 Powers. Said commission may receive gifts of money and property, both real and personal, in the name of the city or town, subject to the approval of the city council in a city or the selectmen in a town, such gifts to be managed and controlled by the commission for the purposes of this section. Said commission may acquire by gift, purchase, grant, bequest, devise, lease or otherwise the fee in such land or water rights, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same, but the city or town shall not have the right to condemn property for these purposes.

Amend RSA 36-A:5 as inserted by section 1 of the bill by striking out the word "and" in the tenth line and inserting in place thereof the word, the, and by striking out the words "including the purchase of land" in the tenth line and inserting in place thereof the words, of this chapter, so that said section as amended shall read as follows:

36-A:5 Appropriations Authorized. For the purpose of establishing and maintaining a conservation commission to promote the development and better utilization of our natural

resources, as authorized by section 2, a town or city may appropriate moneys as is deemed necessary. The whole or any part of money so appropriated in any year may be placed in a conservation fund and allowed to accumulate from year to year. Money may be expended from said fund for the purposes of this chapter.

Amend RSA 36-A:6 as inserted by section 1 of the bill by striking out the word "shall" in the third line and inserting in place thereof the word, may, and by inserting after the word "assist" in the fourth line the words, at their request, so that said section as amended shall read as follows:

36-A:6 Commissioner of Resources and Economic Development. The commissioner of the department of resources and economic development may establish a program to assist, at their request, the cities and towns which have adopted the provisions of this chapter, in acquiring land and in planning of use and structures as described in section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 57, An act authorizing towns and cities to provide life and health insurance for their employees.

HB 210, An act in favor of certain agents of the fish and game department.

HB 251, An act relative to ice fishing.

HB 330, An act relative to the appointment of a deputy treasurer for the county of Rockingham.

HB 353, An act relative to the salary of the Rockingham county commissioners.

HB 359, An act relative to the salary of the Rockingham county attorney.

HB 454, An act relative to the preservation of wooden covered bridges.

HB 27, An act relative to debt service for the Eastern New Hampshire Turnpike.

HB 109, An act relative to limitation of recovery of damages for wrongful death.

HB 140, An act relating to group life insurance.

HB 164, An act providing for recompilation of volume 2 of the Revised Statutes Annotated.

HB 282, An act to provide for cumulative pocket supplements for the Revised Statutes Annotated.

HB 375, An act relative to veterinarians.

HB 469, An act relative to rescinding provisions for adoption of town manager plans.

HB 497, An act relative to restoration to service under the teachers' retirement service.

HB 507, An act relative to printing ballots.

HB 527, An act relating to the assessment of taxes for the Tilton-Northfield Fire Precinct.

SB 36, An act entering into the Interstate Library Compact enacting the same into law and for related purposes.

HJR 22, Joint resolution in favor of Fred Reed and Esther Reed.

HJR 23, Joint resolution in favor of Roland LaPerle.

Mrs. Potter of Northumberland  
Mrs. Morrison of Salem

### Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 51, providing for the construction of a bridge parallel with the General Sullivan bridge.

SB 83, relative to non-judicial punishment in the militia.

SB 37, relative to recounts.

SB 48, relative to probate courts.

SB 49, to amend certain probate laws.

SB 69, relative to the timber yield tax.

SB 87, relative to contract for leasing of concessions on state reservations.

SB 86, to extend the powers of the industrial park authority.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 51, providing for the construction of a bridge parallel with the General Sullivan bridge, to Public Works.

SB 83, relative to non-judicial punishment in the militia, to Military and Veterans' Affairs.

SB 37, relative to recounts, to Executive Departments and Administration.

SB 48, relative to probate courts, to Judiciary.

SB 49, to amend certain probate laws, to Judiciary.

SB 69, relative to the timber yield tax, to Ways and Means.

SB 87, relative to contract for leasing of concessions on state reservations, to Executive Departments and Administration.

SB 86, to extend the powers of the industrial park authority, to Appropriations.

\* \* \*

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 126, relating to liens of attorneys.

**Amendment to HB 126**

Amend section 1 of the bill by striking out in lines 17-20 thereof the words "provided that the provisions of this section shall not apply to any case where the method of determination of attorneys' fees is otherwise expressly provided by statute" and inserting in place thereof the following, provided that this section shall not apply to matters arising under RSA 282 (supp) and any case where the method of determination of attorneys' fees is otherwise expressly provided by statute, so that said section as amended shall read as follows: 1 Lien Created. Amend RSA 311 by inserting after section 12 thereof the following new section: 311:13 Lien on Verdict. From the commencement of an action, bill in equity or other proceeding in any court, the filing of a counterclaim or plea in set-off or recoupment, or appearance in any proceeding before any state or federal department board or commission, the attorney who appears for a client in such proceeding shall have a lien for his reasonable fees and expenses upon his client's cause of action, upon the judgment decree or other order in his client's favor entered or made in such proceeding, and upon the proceeds derived therefrom, and the lien cannot be affected by any settlement between the parties before or after judgment decree or other order. Upon the request of the client or the attorney, the court in which the proceeding is pending, or if the proceeding is not pending in a court, the superior court, may determine and enforce the lien; provided that this section shall not apply to matters arising under RSA 282 (supp) and any case where the method of determination of attorneys' fees is otherwise expressly provided by statute.

Amend the bill by striking out section 2 and inserting in place thereof the following: 2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

On motion of Mr. Upton of Concord, reading of the amendment was dispensed with. Mr. Upton explained the amendment.

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the pas-

sage of the following entitled bills and joint resolutions sent up from the House of Representatives :

HB 27, relative to debt service for the Eastern New Hampshire Turnpike.

HB 164, providing for recompilation of volume 2 of the Revised Statutes Annotated.

HB 282, to provide for cumulative pocket supplements for Revised Statutes Annotated.

HB 140, relating to group life insurance.

HB 497, restoration to service under the teachers' retirement system.

HB 109, relative to limitation of recovery of damages for wrongful death.

HB 469, relative to rescinding provisions for adoption of town manager plans.

HB 507, relative to printing ballots.

HB 527, relating to the assessment of taxes for the Tilton-Northfield Fire Precinct.

HJR 22, in favor of Fred Reed and Esther Reed.

HJR 23, in favor of Roland LaPerle.

HB 345, prescribing the time within which certain articles for the warrant are to be presented.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 403, An act relative to motor vehicle financial responsibility act.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

SB 36, An act entering into the Interstate Library Compact enacting the same into law and for related purposes.

HB 375, An act relative to veterinarians.



**Communication**

May 21, 1963

Mr. Stewart Lamprey  
Speaker of the House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Speaker:

Attached is a copy of an interim report of the Judicial Council relating to counsel for indigent criminal defendants.

House Bill 599 which is being introduced today by Mr. Peterson of Peterborough implements this interim report. The Council suggests that this interim report be printed in the appendix of today's Journal for the information of the members of the House.

Very truly yours,

Rae S. Laraba  
Secretary

The Chair ordered the report printed in the Appendix of today's Journal.

\* \* \*

The Chair announced that today was the 46th wedding anniversary of Mr. Bartlett of Goffstown and Mrs. Bartlett.

The Chair also announced that today is the birthday of Mr. Howe of Tilton and Mr. Gamache of Manchester.

\* \* \*

On motion of Mrs. Vey of Brentwood the House adjourned from the morning session.

**Afternoon Session**

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

**Third Readings**

The following bills were read a third time, passed and sent to the Senate for concurrence:

HB 417, relative to ice fishing on Sunapee Lake.

HB 468, relating to revocation and suspension of drivers' licenses.

HB 475, relating to trustee process on banks and similar corporations.

HB 252, authorizing the establishment of conservation commissions by cities and towns.

\* \* \*

On motion of Mrs. Legasse of Portsmouth, the House adjourned at 3:13 P.M.

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WEDNESDAY, MAY 22, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend J. Lincoln Thomas, of the Baptist and Congregational churches from Campton:

Our Heavenly Father, who rulest the winds and the seas, both seedtime and harvest, and the minds and hearts of men, hear our prayer for our State. Grant that the Governor and all who represent us in making the laws of this State may be humble in office, strong to resist that which is evil, farseeing in outreach and decision, just in counsel and endeavor, and empowered by Thee to lead us in the things which are right.

Open our eyes that we may see Thy unfolding purpose in history and know that we may have some share in its fulfillment. Teach us that there is no greatness except through goodness, and no goodness but through self-sacrifice. Help us to always put first things first. May we learn to value human rights so that the material things may never come to rule our hearts.

Help us to plan wisely for the present, but give us the vision and wisdom to plan for the future. May we ever be concerned with the needs of the youth of our State, and may we be willing to invest our wealth, our time and our skills in

preparation for their future. May our State prove to be a better place to live because we have lived in it. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Willey of Campton led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced the following groups as guests of the House today:

A group of senior students from Exeter High School, courtesy of Exeter Delegation.

A group of elementary school students from Campton, courtesy of Mr. Willey of Campton.

A group of students from St. John High School of Concord, courtesy of the Concord Delegation.

The Home Demonstration Group from Strafford County, courtesy of the Strafford County Delegation.

A group of Elementary School students from Tamworth, courtesy of Mr. Remick of Tamworth.

A group of students from Tilton-Northfield School, courtesy of Mrs. Thompson of Northfield and Mr. Howe of Tilton.

A group of 7th and 8th grade students from Orford, courtesy of Mr. Cushman of Orford.

### **Leaves of Absence**

Messrs. Ferguson of Concord and Lambert of Hooksett were granted leave of absence for the day on account of important business.

Mr. Cote of Manchester was granted an indefinite leave of absence on account of illness.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 600, relative to the police commissioners of the city of Dover. (Maglaras of Dover) to Dover Delegation.

HB 601, relating to the counting of votes at biennial elections. (Hambleton of Goffstown) to Executive Departments and Administration.

HB 602, prohibiting the operation of certain businesses on legal holidays. (Maglaras of Dover) to Judiciary.

HB 603, to expand the authority of the aeronautics commission and make appropriations therefor. (Pickett of Keene and Coutermarsh of Lebanon) To Claims & Aeronautics.

HB 604, relating to the Dover city Charter. (Tuttle of Dover) to Dover Delegation.

HB 605, relative to delinquent corporations. (Rules Committee — Mr. Pappagianis of Nashua) to Executive Depts. & Administration.

### Committee Reports

Concurrent Resolution relating to the Northeastern Water and related land resources compact.

### Concurrent Resolution

*Whereas*, the Northeastern Water and Related Land Resources Compact provides a means for coordinated planning of resource development in New England with consequent benefit to the people of the region;

*Whereas*, the Compact has been enacted by Connecticut, Massachusetts, New Hampshire and Rhode Island and requires only enactment by Congress to become effective;

*Now Therefore be it Resolved by the House of Representatives of the State of New Hampshire, the Senate concurring:*

That the Congress of the United States is respectfully requested to enact at this session either HR 4207 or some other substantially similar bill to put the Northeastern Water and Related Land Resources Compact into effect.

*Be it Further Resolved* that certified copies of this concurrent resolution be forwarded by His Excellency the Governor to the Presiding Officer of the United States Senate, to the

Speaker of the House of Representatives of the United States and to the United States senators and members of the House of Representatives from the state of New Hampshire.

\* \* \*

Mr. McMeekin of Haverhill for Executive Departments and Administration. That the concurrent resolution be adopted.

The resolution was adopted.

HB 289, providing for season for the taking of deer, Mr. Gilman of Franklin for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 301, changing the location of the present deer line, Mr. LaFrance of Manchester for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 418, relative to season for taking wild deer, Mr. Brown of Loudon for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 491, limiting the taking of deer to certain section of the state, Mr. Connolly of Berlin for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 457, increasing fees for fish and game licenses, Mr. Keating of Keene for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 523, relating to the sale of liquor and beverages in first-class restaurants, Mr. Bergeron of Manchester for Liquor Laws. Inexpedient to legislate.

Mr. Bednar of Hudson moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Collishaw of Exeter spoke against the motion.

(discussion ensued)

Mr. Cobleigh of Nashua spoke in favor of the motion.

Mr. Nahil of Claremont moved that further consideration of HB 523 be indefinitely postponed and spoke in favor of the motion.

On a *viva voce* vote, the motion to indefinitely postpone appeared to be adopted.

Mr. Bednar of Hudson requested a division vote.

The division vote being manifestly in the affirmative the motion to indefinitely postpone HB 523 prevailed.

HB 538, relating to the subdivision of land, Mr. Bednar of Hudson for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

SB 50, relative to the act establishing the New Hampshire port authority, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### Amendment to SB 50

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Clarification of Powers. Amend RSA 271-A:1 (supp) as inserted by 1957, 262:1, by striking out the same and inserting in place thereof the following: 271-A:1 Authority Established. There shall be a New Hampshire State Port Authority, consisting of and governed by a board of seven members, five of whom shall be appointed by the governor, with the advice and consent of the council. At least three of said appointive members shall be residents of the cities and towns of the seacoast region or tidal waters and each shall serve for a term of five years, providing that of the first appointments hereunder one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. Said members shall serve until their successors are appointed and qualified. Any vacancy occurring in the membership of the appointive members shall be filled by the governor and council for the unexpired term. In addition to the five appointive members the following officers shall be, by virtue of their offices, members of said board: the commissioner of the department of resources and economic development, and

the president of the seacoast regional development association; such members, however, shall be for liaison purposes only. The board shall elect one of its members as a chairman, one as a vice-chairman and one as a secretary-treasurer. The members of the board shall receive no compensation for their services; but their reasonable expenses, incurred in the performance of their duties, shall be paid by the state. The board shall have the right to adopt a common seal and to alter same, and to establish by-laws and regulations for the management of its affairs within the meaning of this chapter and the laws of the state. The board shall have its principal place of business in Portsmouth, New Hampshire.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

SB 19, relative to access roads to privately owned ski developments, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### Amendment to SB 19

Amend RSA 236-B:1 of Chapter 236-B as inserted by section 1 of the bill by inserting after the word "proposed" in the third line the words, or existing, so that said section as amended shall read as follows: 236-B:1 Authorization. Upon petition and showing of financial ability and responsibility by a developer of a proposed or existing privately operated ski development the legislature may authorize the commissioner of public works and highways, with the approval of the governor and council to lay out and construct an access road to such development.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 384, relative to gross weight of certain vehicles, Mr. Clafin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

HB 437, relative to permitted length of motor vehicles, Mr. Clafin of Wolfeboro for Transportation. Inexpedient to legislate.

The resolution was adopted.

HB 484, relative to special weight limits for trucks hauling forest products during winter months, Mr. Clafin of Wolfeboro for Transportation. Inexpedient to legislate.

The resolution was adopted.

HB 471, adopting certain provisions of the uniform vehicle code, Mr. Clafin of Wolfeboro for Transportation. Ought to pass with amendment.

### **Amendment to HB 471**

Amend RSA 262-A:1, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

262-A:1 Vehicles on Highways; Exceptions. The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except where a different place is specifically referred to in a given section.

Amend 262-A:18, as inserted by section 1 of the bill by striking out paragraph II, and further amend said section by renumbering paragraph III to read paragraph II.

Amend the first paragraph of 262-A:23, as inserted by section 1 of the bill, by striking out the words "with a solid line" in the third line so that said paragraph as amended shall read as follows:

262-A:23 Driving on Roadways Laned for Traffic. Whenever any roadway has been divided into two or more lanes clearly marked for traffic the following rules in addition to all others consistent herewith shall apply:

Amend RSA 262-A:46 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

262-A:46 All Vehicles Must Stop at Certain Railroad Grade Crossings. The public utilities commission is hereby authorized to designate particularly dangerous highway grade crossings of railroads and to order stop signs erected thereat. It shall be the duty of the commissioner of public works and



highways when ordered by said commission to erect such stop signs at such designated crossings where said highways are under his jurisdiction. Local communities shall when ordered by the public utilities commission erect such stop signs on highways within their jurisdiction. When such stop signs are erected the driver of any vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad and shall proceed only upon exercising due care.

Amend paragraph II of RSA 262-A:47 as inserted by section 1 of the bill by adding at the end thereof the following, or by motor vehicles engaged in the common and contract carriage of passengers for hire when exempt by order of the public utilities commission, so that said paragraph as amended shall read as follows:

II. No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed, or by motor vehicles engaged in the common and contract carriage of passengers for hire when exempt by order of the public utilities commission.

\* \* \*

Mr. Stafford of Laconia moved that HB 471 be recommitted to the committee on Transportation and spoke in favor of the motion.

Mr. Claflin of Wolfeboro moved that HB 471 be made a Special Order of Business at 11:01 A.M. on Wednesday next and spoke in favor of the motion.

Messrs. Capistran of Manchester and Pickett of Keene spoke against the motion.

Mr. Kimball of Manchester spoke in favor of the motion.

Mr. Claflin of Wolfeboro spoke a second time in favor of the motion.

On a *viva voce* vote the motion of a Special Order appeared to prevail.

Mr. Stafford of Laconia requested a division.

185 members having voted in the affirmative and 91 in the negative the motion for the Special Order prevailed.

HB 536, relating to the expenses of the public utilities commission, Mr. Kearns of Manchester for Ways and Means. Ought to pass with amendment.

### Amendment to HB 536

Amend section 1 of the bill by inserting after the word "ascertained" in the fifth line the words, in an amount not exceeding one hundred twenty-five thousand dollars, so that said section as amended shall read as follows:

1 Expenses Assessed. Amend RSA 363-A:2 (supp) as inserted by 1955, 203:1 and as amended by 1959, 242:2, by striking out said section and inserting in place thereof the following: 363-A:2 Assessment. The expenses thus ascertained in an amount not exceeding one hundred twenty-five thousand dollars, shall be assessed against the public utilities described in the foregoing section in the manner herein provided. The public utilities commission shall establish reasonable classifications of public utilities, and shall determine the share of its expense attributable to each such class. Each such share shall be assessed against the several public utilities comprising the class in such proportion as the public utilities commission shall determine to be fair and equitable.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mrs. Ainley of Manchester moved that the committee of conference on HB 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester, be dismissed and that a new committee be appointed.

The motion was adopted.

### Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 77, to clarify the status of passenger tramway devices.

SB 1, relative to the form of ballots.

### Introduction of Senate Bills

The following Senate bills were read a first and second time and referred as follows:

SB 77, to clarify the status of passenger tramway devices, to Resources, Recreation and Development.

SB 1, relative to the form of ballots, to Executive Departments and Administration.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 335, relating to the discharge or removal from office of county employees and the choosing of a vice-chairman of the county convention.

### Amendment to HB 335

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to discharge or removal from office of county employees and the choosing of a vice-chairman of the county convention.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Appeal Provided. Amend RSA 28:10-a (supp) as inserted by 1959, 295:1, by striking out said section and inserting in place thereof the following: 28:10-a Discharge from Employment. Any employee of a county institution, except the superintendent of the county farm, who has served at least one year shall not be discharged or removed from employment except for dishonesty, intoxication, immoral behavior or other misconduct, neglect of duty or negligence, wilful insubordination or lack of cooperation, inefficiency, incapacity or unfitness to perform his duties or for the good of the institution to which he is assigned. Prior to the discharge or removal of any such employee a statement of the grounds and reasons therefor shall be prepared by the county commissioners and signed by a majority of the board and notice thereof shall be given to said

employee not less than ten days nor more than thirty days prior to the effective date of such discharge or removal. Within thirty days of receipt of such notice the employee may request in writing a public hearing thereon before the county personnel committee, consisting of the chairman, vice chairman and clerk of the county convention. If upon such hearing said committee shall find good cause for discharge or removal of said employee they shall approve his discharge or removal as ordered by the county commissioners. Said personnel committee may establish reasonable rules for procedure and the admission of evidence, and shall keep a record of all proceedings hereunder. Any action or decision made hereunder shall be subject to rehearing and appeal as provided in RSA 541. The county personnel committee when acting under the provisions of this section shall be deemed a commission within the meaning of RSA 541:1. The salary of said employee shall terminate on the effective date of his discharge, provided however, if the employee has been discharged without good cause, he shall be reinstated to his former position without loss of pay for the period of suspension and shall be reimbursed for his legal costs and reasonable attorneys' fees as determined by the personnel committee, or in the event of appeal from its ruling, by the Supreme Court. This section shall not apply to county employees laid off by reason of abolition of a position, change in organization, lack of work or insufficient funds, nor to employees of county jails not located at the county farm.

Amend section 2 of said bill by inserting after the word "meeting" the words, or at any subsequent meeting when necessary, so that said section as amended shall read as follows:

2 Election. Amend RSA 24:2 by striking out said section and inserting in place thereof the following: 24:2 Officers and Executive Committee. At its first regular meeting, or at any subsequent meeting when necessary, the county convention shall choose a chairman, vice-chairman and clerk, all of whom shall be representatives, and an executive committee. The chairman, vice-chairman and clerk shall be members of the executive committee, ex officio.

Amend section 3 of said bill by striking out the words "January 1, 1965" and inserting in place thereof the words, upon its passage, so that said section as amended shall read as follows.

3 Takes Effect. This act shall take effect upon its passage.

\* \* \*

On motion of Mr. Hill of Conway, reading of the amendment was dispensed with, and Mr. Hill explained the amendment.

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 216, relative to reports to the tax commission.

#### Amendment to HB 216

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Date for Report. Amend RSA 41 by inserting after section 41:15 the following new section: 41:15-a Penalty. If the certifications required by section 41:15 are not made to the tax commission on or before October first, unless the time is extended by the tax commission for cause, the town for which the selectmen act shall pay to the state for its use the sum of five dollars for each day's delay in making certification. The tax commission shall certify to the state treasurer the amount of any sums due from any town hereunder. The state treasurer shall notify the selectmen of the town of the amount due and shall withhold the sum due from monies due to the town from the state if the town neglects for more than thirty days to pay the sum due.

\* \* \*

Mr. Stafford of Laconia moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Hill of Conway, Stafford of Laconia and Palmer of Kensington as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 262, relative to temporary employees of the dept. of Public Works & Highways.

### **Amendment to HB 262**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Department of Public Works and Highways. Amend RSA by inserting after RSA 98:17-a (supp), as inserted by 1959, 238:1, the following new section: 98:17-b Temporary Employees of the department of public works and highways whose positions have been approved for continuance for a period of more than one year as provided in this chapter shall be classified as permanent employees if and after they shall have continuously occupied and carried out the duties of their respective positions for a period of two years.

\* \* \*

On motion of Mr. Lewis of Lebanon the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 409, to exempt from inheritance tax property passing to an adopted grandchild.

### **Amendment to HB 409**

Amend section 1 of the bill by striking out the last sentence and inserting in place thereof the following, For the purposes of this section all adopted children in the decedent's line of succession shall be treated as natural children in determining "lineal decedents", so that said section as amended shall read as follows:

1 Taxation of Legacies and Successions. Amend RSA 86:6 by striking out said section and inserting in place thereof the following: 86:6 Taxable Property and Tax Rate. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother or lineal descendant, or for the care of cemetery lots, or to a city or town in this state for public municipal purposes, or to or for the use of educational, religious, cemetery, or other institutions, societies or associations of public charity in any state, other than this state, territory or country the laws of which, at the time of the death of the decedent, either (1) do not impose a transfer tax or death tax of any kind or (2) grant an exemption similar to that hereby provided to the domiciliaries of such state, territory or country in favor of property passing to charities in this state, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state. For the purposes of this section all adopted children in the decedent's line of succession shall be treated as natural children in determining "lineal decedents".

On motion of Mr. Johnson of Hanover, reading of the amendment was dispensed with and Mr. Johnson explained the amendment.

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

### **Concurrent Resolution**

*Whereas*, Major L. Gordon Cooper, a distinguished member of the Armed Forces of the United States, has completed successfully a multiple orbit of the earth in a highly efficient and commendable manner; and

*Whereas*, said accomplishment has materially advanced the position of the United States in space exploration; and

*Whereas*, this state is particularly closely associated with and conscious of our advance in space exploration in view of the fact that our own native son Alan Shepard of Derry was the first of our astronauts;

*Now, Therefore Be It Resolved*, that the Senate, the House of Representatives concurring, shall hereby congratulate and commend Major L. Gordon Cooper for his excellent and outstanding effort which has so advanced the cause of our country in the eyes of the entire world; and

*Be It Further Resolved*, that a copy of this resolution be transmitted to Major L. Gordon Cooper.

On motion of Mr. Pickett of Keene the House concurred in the adoption of the concurrent resolution.

\* \* \*

Mr. McMeekin of Haverhill moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal and spoke in favor of the motion.

The motion was adopted.

HB 233, relative to Colby Junior College for women, Mr. Eastman of Weare for Executive Departments and Administration. Ought to pass.

Mr. London of New London explained the bill.

The bill was ordered to a third reading.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order for 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:



HB 538, relating to the subdivision of land.

HB 384, relative to gross weight of certain vehicles.

HB 536, relating to the expenses of the public utilities commission.

HB 233, relative to Colby Junior College for women.

\* \* \*

SB 19, relative to access roads to privately owned ski developments, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

\* \* \*

On motion of Mrs. Greene of Rye the House adjourned at 12:42 P.M.

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THURSDAY, MAY 23, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by Guest Chaplain Reverend Edward W. Cantwell from the First Christian Church of Center Tuftonboro:

Lord God of our fathers: We thank Thee for Thy guiding hand along the way of our pilgrimage: we beg for Thy continuing blessings upon us, our state, and our nation. We seek Thy protection of our homes, our lives and our institutions. We implore Thy blessings upon the Governor and this legislative body. May all of its members meditate with Thee, so that they may legislate wisely and justly. Give unto each representative pure wisdom and a large vision so that all may build on a firm foundation that can never be shaken.

Lead us all into larger fields of service for the betterment of all mankind. May our state grow in favor and stature and under wise and just leadership become a blessing to all peoples on the face of the earth. This we ask in the name of Jesus Christ Amen.

### **Pledge of Allegiance to the Flag**

Mr. Walsh of Manchester led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group from the Portsmouth Graduate Nurses Club, courtesy of Governor and Mrs. John W. King.

A group of elementary school students from Auburn, courtesy of Mrs. Griffin of Auburn.

A group of students from the Grinnell School of Derry, courtesy of Derry Delegation.

A group of students from the elementary school of Grant-ham, courtesy of Mrs. Weber of Croydon.

A group of 7th and 8th grade students from Chester, courtesy of Mr. Underwood of Chester.

### **Leaves of Absence**

Mr. Cobleigh of Nashua and Mr. Soucy of Manchester were granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 606, relating to mosquito control. (Greene of Rye) to Res., Rec. & Development.

HB 607, relating to revisions of supervisory unions and reassignment of personnel. (Greene of Rye) to Education.

HB 608, providing compensation for persons damaged by limitations on signs on interstate highways. (Stevenson of Bethlehem) to Judiciary.

HB 609, relative to usurious interest rates. (Bednar of Hudson and Maloomian of Somersworth) to Judiciary.

HB 610, relative to progressive time contracts. (Bednar of Hudson) to Judiciary.

HB 611, relative to contested elections. (Johnson of Hanover) to Executive Departments and Administration.

HB 612, relative to re-examination of motor vehicle operators over seventy years of age. (Young of Rye) to Transportation.

HJR 33, providing funds for increase in daily rate paid to nursing homes for care of welfare recipients. (Ferguson of Milford) to Appropriations.

HJR 34, in favor of Marcus E. Diffenderfer. (Diffenderfer of Ossipee) to Mileage.

HJR 35, in favor of Alfred Loranger. (Rules Committee — Mr. Herbert of Windham) to Claims and Aeronautics.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bill:

HB 126, An act relating to liens by attorneys.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon

### **Committee Reports**

HB 504, relative to inter-banks deposits, Mr. Bigelow of Warner for Banks. Ought to pass with amendment.

### **Amendment to HB 504**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. Limitations on Inter-bank Deposits. Amend RSA 386:8 by striking out said section and inserting in place thereof the following: 386:8 Restrictions. A savings bank may deposit its funds in a national bank or trust company subject to the limitations of RSA 387:22 but such deposit shall not, at

any time, exceed one hundred per cent of the capital, surplus and undivided profits of such national bank or trust company except with the approval in writing of the bank commissioner.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 526, authorizing associations to make collateral and unsecured loans, Mr. Bigelow of Warner for Banks. Inexpedient to legislate.

The resolution was adopted.

HB 428, relating to county commissioner districts for the county of Coos, Mr. Sheridan of Berlin for the Majority of the Coos County Delegation. Ought to pass with amendment.

### Amendment to HB 428

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Districts Defined. Amend paragraph VII of RSA 64:11 by striking out said paragraph and inserting in place thereof the following: VII. Coos: District 1, wards 1, 2, and 4 in the city of Berlin; District 2, Northumberland, Lancaster, Whitefield, Carroll, Dalton, Jefferson, Randolph, Gorham and Shelburne; District 3, Pittsburg, Stewartstown. Clarksville, Colebrook, Strafford, Columbia, Millsville, Errol, Wentworth's Location, Dummer, Stark, Milan and ward 3 in the city of Berlin.

Further amend said bill by inserting after section 1 the following new section:

2 Referendum. On the ballots for the several voting precincts in Coos county for the biennial election to be held in 1964, there shall be printed the following question: "Shall the county commissioner districts in Coos county be as defined in 'an Act relating to county commissioner districts for the county of Coos' as enacted by the 1963 session of the General Court," which question shall be followed by printed boxes in which the voter may indicate "yes" or "no." If upon the canvass of the votes cast at said election with respect to said question it shall appear that a majority of the persons voting thereon shall

have voted in the affirmative, then the county commissioner districts for Coos county shall be as provided in section 1, and the nomination and election of county commissioners at the biennial election in 1966 shall be in accordance therewith.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

HB 428, Minority report, Inexpedient to legislate.

George H. Keough  
Lloyd E. Sherman  
Harry N. Marsh  
Darwin Brooks  
Frank C. Nash  
Edna D. Fogg  
Basil W. Connolly  
May E. Arsenault  
Ada C. Taylor  
A minority of the Committee

Mr. Sherman of Lancaster moved that HB 428 be indefinitely postponed and spoke in favor of the motion.

Mr. Fortier of Berlin spoke against the motion.

Mrs. Taylor of Whitefield spoke in favor of the motion.

Mr. Sheridan of Berlin spoke against the motion.

(discussion ensued)

Mr. McMeekin of Haverhill spoke against the motion.

Mr. Peterson of Peterborough spoke in favor of the motion.

(discussion ensued)

Mr. Shute of Lancaster requested a division.

187 members having voted in the affirmative and 119 in the negative, the motion to indefinitely postpone HB 428 prevailed.

Mr. Sheridan of Berlin demanded the Yeas and Nays, and subsequently withdrew his demand.

HB 221, relative to state guarantee of municipal bonds and water pollution projects, Mr. Goode of Manchester for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 302, relative to the state board of conciliation and arbitration, Mr. Goode of Manchester for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 281, relative to the remodeling of certain buildings and the construction of a new green house at the University of New Hampshire, Mr. Fellows of Dover for Appropriations. Ought to pass with amendment.

### **Amendment to HB 281**

Amend section 3 by striking out the word "thirty" in the fourteenth line and inserting in place thereof the word, twenty, so that said section is amended to read as follows:

3 State Bonds or Notes. The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding one hundred and forty-five thousand dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 188, relative to the construction of a new instructional building and the remodeling of certain present buildings at the University of New Hampshire, Mr. Gove of Concord for Appropriations. Ought to pass with amendment.

### **Amendment to HB 188**

Amend section 3 by striking out the word "thirty" in the thirteenth line and inserting in place thereof the word, twenty, so that said section is amended to read as follows:

3 State Bonds or Notes. The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding one million six hundred and forty-five thousand dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 265, to provide funds for the preparation of property maps, Mr. Roberts of Conway for Appropriations. Inexpedient to legislate.

Mr. Kimball of Derry moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Clement of Rochester spoke against the motion.

Mr. Stickney of Salem spoke in favor of the motion.

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Fortier of Berlin moved that HB 265 be laid on the table.

The motion was adopted.

HB 447, relative to village districts, Mr. Hanson of Bow for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 519, relative to construction of buildings to be used by the public, Mr. Plumer of Bristol for Public Works. Inexpedient to legislate.

Mr. Taft of Greenville explained the resolution of the committee.

The resolution was adopted.

HB 406, establishing a police commission for the city of Somersworth, Mr. Cormier of Somersworth for the Somersworth Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 232, providing for payments in lieu of taxes on certain recreational lands, Mr. Colbath of Dover for Ways and Means. Inexpedient to legislate; subject matter covered by pending legislation.

The resolution was adopted.

HB 499, relative to the taxation of railroads, Mr. Bevan of Durham for Ways and Means. Be referred to Legislative Council or Legislative Services Commission.

The resolution was adopted.

HB 553, to establish a new apportionment for the assessment of public taxes, Mr. Bevan of Durham for Ways and Means. Ought to pass.

The bill was ordered to a third reading.



Mr. McAllister of Barnstead moved that the rules of the House be so far suspended as to dispense with the printing of HJR 34, in favor of Marcus E. Diffenderfer.

The Clerk read the House Joint Resolution in full.

House Joint Resolution in favor of Marcus E. Diffenderfer.

*Resolved*, by the Senate and House of Representatives in General Court convened:

The sum of one hundred and twenty-nine dollars and sixty cents is hereby appropriated to reimburse Marcus E. Diffenderfer of Ossipee for mileage allowance for the 1959 session of the general court, which said allowance although approved by the then mileage committee was not paid because of an error. The sum appropriated hereunder shall be a charge upon the legislative appropriation.

The motion was adopted.

Mr. Larty of Haverhill moved that the order whereby SB 58 was referred to Ways and Means be vacated and that the bill be referred to Resources, Recreation and Development.

The motion was adopted.

Mr. Larty of Haverhill moved that the order whereby SB 69 was referred to Ways and Means be vacated and that the bill be referred to Resources, Recreation and Development.

The motion was adopted.

### Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 105, An act to legalize the proceedings of the meeting of a certain cooperative school district held at Lancaster, May 14, 1963.

SB 3, An act permitting the hunting of deer with muzzle-loaders.

### Introduction of Senate Bills

SB 105, to legalize the proceedings of the meeting of a certain cooperative school district held at Lancaster, May 14, 1963, was read a first and second time and referred to Education.

Mr. O'Neil of Chesterfield moved that the rules of the House be so far suspended as to dispense with reference to committee and public hearing on SB 105 and spoke in favor of the motion.

(discussion ensued)

The Clerk read the bill in full.

The motion was adopted and the bill was ordered to a third reading.

\* \* \*

SB 3, permitting the hunting of deer with muzzle-loaders, was read a first and second time and referred to Fish and Game.

A further Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

*Whereas*, Pine Island Park in the city of Manchester has ceased operation and is being dismantled for use as a public recreational area; and

*Whereas*, said premises consist of a material area surrounding and adjacent to a body of water; and

*Whereas*, there is great need for bathing and boating facilities for the use of residents of Manchester and this area could well be adapted for such use;

*Now, Therefore, Be It Resolved*, by the Senate, the House of Representatives concurring, that the department of resources and economic development is hereby requested to immediately make a study and submit plans to the governor and council pursuant to its duties and authority under chapter 263 of the laws of 1961 as to how said Pine Island Park may best be acquired and developed as part of the recreational areas and facilities of the state and the governor and council is requested to exert every effort possible to provide that said Pine Island Park shall not be lost to the residents of Manchester as a recreational area; and

*Be It Further Resolved*, that copies of this resolution be transmitted to the governor, each member of his council and the commissioner of resources and economic development.

The concurrent resolution was referred to Resources, Recreation and Development.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 233, An act relative to Colby Junior College for Women.

### **Amendment to HB 233**

Amend section 3 of the bill by striking out the same and inserting in place thereof the following:

3 Takes Effect. This act shall take effect upon its passage.

On motion of Mr. London of New London the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 493, relative to compensation of the special justice for Portsmouth Municipal court.

### **Amendment to HB 493**

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1 Special Justices. Amend RSA 502:8 (supp) as amended by 1955, 253:1; 1957, 125:2, 175:2, 204:1, 209:2; 1961, 16:1, 124:2, by striking out the words "of Portsmouth four hundred dollars" in the ninth line and inserting in place thereof the words, of Portsmouth twelve hundred dollars, so that said section as amended shall read as follows: 502:8 Compensation of Special Justices. The special justice and justice of the peace requested to sit owing to the disqualifications of the justice and

special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester two thousand dollars, of Nashua two thousand five hundred dollars, of Dover six hundred dollars, of Concord one thousand two hundred dollars, of Portsmouth twelve hundred dollars, of Laconia five hundred dollars, of Somersworth two hundred dollars and of Hampton three hundred and fifty dollars, to be paid by said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city six hundred dollars per annum.

Further amend said bill by striking out section 2 and re-numbering section 3 to read section 2.

On motion of Mr. Stafford of Portsmouth, reading of the amendment was dispensed with.

Mr. Stafford explained the amendment.

On motion of Mr. Stafford of Portsmouth the House concurred in the Senate amendment.

### Resolutions

Mr. Eastman of Weare offered the following resolutions for the Hillsborough County Delegation:

*Whereas*, William A. Cote, Representative from Manchester, Ward 8, has been hospitalized in the VA Hospital in Manchester, therefore be it

*Resolved*, That we the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Cote.

The resolutions were unanimously adopted.

Messrs. Smith and Ballam of Walpole offered the following resolutions:

*Whereas*, John E. Aylard, Representative from Walpole in 1951, has passed away,

*Whereas*, He served as town selectman, tax collector and school board member, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his widow, Mrs. Mary Aylard, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

Messrs. Sherman of Lancaster and Marsh of Colebrook offered the following resolutions:

*Whereas*, Samuel A. Weeks, a former Representative from Colebrook for several sessions, has passed away,

*Whereas*, He served as county commissioner for two terms,

*Now, Therefore Be It Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his town, county and state and express our deep sympathy to his family in its bereavement, and

*Be It Further Resolved*, That a copy of these Resolutions be sent to his widow, Mrs. Angie Weeks.

The resolutions were unanimously adopted.

\* \* \*

Mr. Maloomian of Somersworth offered the following resolution:

*Resolved* that, the male members of the House may be allowed to remove their coats during the remainder of the session.

The resolution was adopted.

\* \* \*

The Chair announced that today is the 50th wedding anniversary of Representative and Mrs. Brown of Loudon.

The Chair also announced that Friday will be the 40th wedding anniversary of Representative and Mrs. Palmer of Kensington.

The Chair also announced that today is the birthday of Mr. White of Derry.

The Chair also announced that Saturday is the birthday of Mr. Champagne of Manchester.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Monday morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 504, relative to inter-banks deposits.

HB 221, relative to state guarantee of municipal bonds and water pollution projects.

HB 302, relative to the state board of conciliation and arbitration.

HB 281, relative to the remodeling of certain buildings and the construction of a new greenhouse at the University of New Hampshire.

HB 188, relative to the construction of a new instructional building and the remodeling of certain present buildings at the University of New Hampshire.

HB 406, establishing a police commission for the city of Somersworth.

HB 553, to establish a new apportionment for the assessment of public taxes.

SB 105, to legalize the proceedings of the meeting of a certain cooperative school district held at Lancaster, May 14, 1963, was read a third time, passed, and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. O'Neil of Chesterfield, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 105, and spoke against the motion.

The motion was lost.

\* \* \*

On motion of Mrs. Berry of Barrington the House adjourned at 1:15 P.M.

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MONDAY, MAY 27, 1963

(Mr. Peterson of Peterborough in the Chair)

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O Father of Eternal Wisdom, with courage we approach the duties of a new day. Humbly we strive to know Thy will in each and every contemplation as we weigh the importance of each issue requiring our decision. Grant us strength to undertake the voluminous and varied responsibilities given to our charge. Create, in our every effort, both unity of purpose and devotion to service. Grant Thy continued blessing upon our Governor, his Council, and the Members of this Joint Convention. May Thy loving care ever protect our precious freedoms — nurture us with everlasting peace in Thy Name, Amen.

### **Pledge of Allegiance to the Flag**

Mr. McCarthy of Laconia led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Messrs. Stickney of Salem, LaFlamme of Concord, Phelps of Andover and Mrs. Clark of Lee were granted leaves of absence for the day on account of important business.

Miss Bailey of Newport and Mr. Chamberlain of Bath were granted leave of absence for the week on account of important business.

Mrs. Rubins of Rochester was granted leave of absence for the day on account of illness.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 613, relative to penalties for violations of the municipal budget act. (Bednar of Hudson and Morrill of Salem) to Judiciary.

HB 614, relative to insurance on certain state real estate and personal property of historic value. (Casassa of Hampton) to Exec. Depts. & Administration.

HB 615, relative to purchase of supplies by the department of resources and economic development. (Casassa of Hampton) to Executive Departments & Administration.

HB 616, relative to the definition of an elementary school and school district liability. (Faulkner of Keene) to Education.

HB 617, relative to redevelopment plans and urban renewal plans. (Rules Committee — Mr. Pappagianis of Nashua) to Municipal & County Government.

HB 618, relative to availability to public of public records and meetings. (Bednar of Hudson) to Judiciary.

HJR 36, relative to certain lands in the town of Tamworth. (Rules Committee — Remick of Tamworth) to Municipal and County Government.



### Committee Reports

HB 528, relative to investment of funds of the University of New Hampshire, Mr. Bigelow of Warner for Banks. Ought to pass with amendment.

#### Amendment to HB 528

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 University of New Hampshire. Amend RSA 187:17 by striking out said section and inserting in place thereof the following: 187:17 Investments. The governor, the treasurer of the University, and three members of the board of trustees, to be selected by the board of trustees, shall constitute a finance committee, who may, except as is provided in the preceding section, make such changes from time to time in the investment of the funds of the institution as its interest may, in their judgment require.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 575, relative to ranks and qualifications of personnel of division of state police, Mrs. Gagnon of Berlin for Executive Departments and Administration. Ought to pass with amendment.

#### Amendment to HB 575

Amend section 1 of said bill be striking out the word "department" in the fourteenth line and inserting in place thereof the word, division, so that said section as amended shall read as follows:

1 Division of State Police. Personnel. Amend RSA 106-B:4 (supp) as inserted by 1961, 166:4 by striking out said section and inserting in place thereof the following: 106-B:4 Ranks and Qualifications; Establishment. The director of state police shall hold the rank of colonel. Within the division of state police there shall be not less than one major, two field officers with the rank of captain, six troop commanders with the rank of lieutenant, six assistant troop commanders with the rank of sergeant and six corporals-at-large. Every police employee shall

have had not less than two years service within the division to become eligible for promotion of any type except from probationary status to trooper. No member of the division shall be eligible for promotion in any event unless his record is free from the commission of any major infraction of divisional discipline within the last seven consecutive years of such service. In addition to the foregoing, the personnel commission, with the advice of the director, shall establish suitable classification for additional grades, positions and ranks and for each classification shall fix standards of health, education, training and experience, as well as the conduct and manner of taking of competitive examinations for promotion within the division.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 577, relative to building codes, Mr. Lewis of Lebanon for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 588, authorizing training of auxiliary state police, Mr. Langford of Raymond for Executive Departments and Administration. Ought to pass with amendment.

#### Amendment to HB 588

Amend 106-B:18 as inserted by section 1 of the bill by striking out the word "recruit" in the second line, further amend by inserting after the word "force" the words, with the approval of the commissioner, so that said section as amended shall read as follows:

106-B:18 Auxiliary State Police. The director is authorized to train and organize an auxiliary state police force with the approval of the commissioner for the purpose of providing emergency services throughout the state for peacetime or war-time emergencies or threatened emergencies and for augmenting the state police force in such manner as the director may deem appropriate. Such auxiliary force shall at all times be under the direction and control of the said director and shall be subject to rules and regulations promulgated by the director.

Amend paragraph (4) of 106-B:19 as inserted by section 1 of the bill by striking out the word "twenty-one" and inserting in place thereof the word, twenty-three, so that said paragraph as amended shall read as follows: (4) at least twenty-three years old.

Amend 106-B:22 as inserted by section 1 of the bill by adding at the end thereof the words, or personnel, so that said section as amended shall read as follows:

106-B:22 Compensation. All members of the auxiliary force shall be compensated for their services while actively engaged on the performance of their official duties at rates as fixed by the director of personnel.

\* \* \*

At the request of Mrs. Potter of Northumberland, Mr. Langford of Raymond explained the amendment.

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 590, relative to transfer of positions in the department of safety, Mrs. Marx of Langford for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 556, relative to the incorporation of the Upper Valley Development Council, Inc., Mrs. Grey of Canaan for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 561, relative to liens against property of recipients of direct relief from towns and counties, Mr. Healy of Manchester for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 541, relative to compromise settlement of an infant's claim, Mr. Upton of Concord for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 542, relative to settlements in behalf of minors, Mr. Upton of Concord for Judiciary. Ought to pass with amendment.

**Amendment to HB 542**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Minors. Amend RSA 462:2 by striking out said section and inserting in place thereof the following: 462:2 Settlement of Suits in Behalf of Minors. No settlement of any suit in law or equity brought by parent, gaurdian, guardian ad litem or next friend in behalf of any infant shall be valid unless approved by the court in which the action is entered or is pending. In any suit in behalf of an infant or against an infant or in which an infant is interested, the court may make all necessary orders for protecting the interests of the infant, and may require the guardian ad litem, parent or next friend to give bond to truly account for all money received in behalf of the infant whether through settlement, judgment, decree or other order.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 370, relative to the purity of foods and drugs, Mr. Green of Rollinsford for Public Health. Ought to pass with amendment.

**Amendment to HB 370**

Amend subparagraph (1) of paragraph VIII of RSA 146:2 as inserted by section 1 of said bill by striking out the word "or" in the seventh line and inserting in place thereof the word, and, so that said paragraph as amended shall read as follows:

(1) The term "color additive" means a material which — (a) is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity from a vegetable, animal, mineral or other source, and (b) when added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable (alone or through reaction with other substance) of imparting color thereto; except that such term does not include any material which has been or hereafter is exempted under the federal act.

Amend subparagraph (3) of paragraph VIII of RSA 146:2 as inserted by section 1 of said bill by striking out in the sixth line the word "of" and inserting in place thereof the word, or, and by striking out the word "process" and inserting in place thereof the word, processes, so that said subparagraph as amended shall read as follows:

(3) Nothing in (1) above shall be construed to apply to any pesticide chemical, soil or plant nutrient, or other agricultural chemical solely because of its effect in aiding, retarding, or otherwise affecting, directly or indirectly, the growth or other natural physiological processes of produce of the soil and thereby affecting its color, whether before or after harvest.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Added Poisonous Substances. Amend 146 by adding after section 20 the following new section: 146:21 Additives. I. Any added poisonous or deleterious substance, any food additive, any pesticide chemical in or on a raw agricultural commodity, or any color additive, shall with respect to any particular use or intended use be deemed unsafe for the purpose of application of paragraph I of section 3 with respect to any food or paragraph I of section 4 with respect to any drug or device, or paragraph I of section 7 with respect to any cosmetic, unless there is in effect either (1) a regulation issued pursuant to the Federal Act permitting such use, or (2) a regulation issued pursuant to paragraph II of this section limiting the quantity of such substance, and the use or intended use of such substance conform to the terms prescribed by such regulation. While either such regulation relating to such substance is in effect, a food, drug or cosmetic shall not, by reason of bearing or containing such substance in accordance with the regulation, be considered adulterated within the meaning of paragraphs I of sections 3, 4, 7.

II. On and after July 1, 1963, the regulations promulgated under the federal act, prescribing therein tolerances and exemptions from tolerances or conditions of use for any of the foregoing substances are hereby adopted as the regulations applicable to this chapter. Provided that whenever public health or other considerations in the state so require, the commissioner of health and welfare is authorized to adopt, amend, or repeal regulations whether or not in accordance with regulations pro-

mulgated under the federal act prescribing therein tolerances and exemptions from tolerances or conditions of use for such substances.

Amend said bill by inserting after section 8 the following new section:

9 Repeal. Paragraph V of RSA 146:3, relative to coal-tar color, is hereby repealed.

Further amend said bill by striking out section 9 and re-numbering to read section 10, so that said section as amended shall read as follows:

10 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 551, relative to tree wardens, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

HB 371, relating to curfew regulations in Rochester, Mrs. Hartigan of Rochester for the Rochester Delegation. Ought to pass with amendment.

#### **Amendment to HB 371**

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 399, relative to salary of the justices and clerk of Rochester municipal court, Mr. Marsan of Rochester for the Rochester Delegation. Ought to pass with amendment.

#### **Amendment to HB 399**

Amend the title of said bill by striking out the words "and clerk" so that said title as amended shall read as follows: An

act relative to salary of the justices of Rochester municipal court.

Amend the bill by striking out section 3 and renumbering section 4 to read section 3.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 248, requiring certain marking for so-called native farm products.

### Amendment to HB 248

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Standards for Farm Products. Amend RSA 428 by inserting after section 4 the following new section: 428:4-a Use of Word "Native". No farm products sold, offered or exposed for sale or distribution in the state shall be labelled or described as "native" unless the name of the state in which they were grown or produced appears immediately after the word "native". The provisions of this section shall not apply to eggs.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

Mr. Adams of Madbury moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Hayward of Milford, Underwood of Chester and Mrs. Martel of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 44, to authorize cities and towns to establish historic districts.

SB 74, relative to renaming a highway.

SB 84, authorizing indemnification agreements with the United States.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 44, to authorize cities and towns to establish historic districts, to Municipal and County Government.

SB 74, relative to renaming a highway, to Public Works.

SB 84, authorizing indemnification agreements with the United States, to Public Works.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

HB 268, providing for the classification of the waters of Newfound Lake.

HB 339, relative to assessing abutters for sidewalks.

HB 444, relative to retired members of the policemen's retirement system.

HJR 29, providing additional funds for cancer commission

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 19, relative to access roads to privately owned ski developments.

### **Resolutions**

Mr. Walsh of Manchester offered the following resolutions:

*Whereas*, high school bands from Charleston, West Virginia, are on tour in New Hampshire to publicize their state's centennial, therefore be it



*Resolved*, by the House of Representatives that the Wellsburg High School Band from Charleston be invited to perform on the State House Plaza on Tuesday, June 11, and be it further

*Resolved*, that this invitation be issued through Jack Gentry, centennial county coordinator.

The resolutions were adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 528, relative to investment of funds of the University of New Hampshire.

HB 575, relative to ranks and qualifications of personnel of division of state police.

HB 556, relative to the incorporation of the Upper Valley Development Council.

HB 542, relative to settlements in behalf of minors.

HB 370, relative to the purity of foods and drugs.

HB 551, relative to tree wardens.

HB 371, relating to curfew regulations in Rochester.

HB 399, relative to salary of the justices of Rochester Municipal Court.

\* \* \*

On motion of Mrs. Blanchette of Dover the House adjourned at 11:45 A.M.

TUESDAY, MAY 28, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

O Father of Eternal Goodness — gratefully we acknowledge Thy compassionate and merciful love, graciously extended to our comfort and need. May the warmth of Thy loving-kindness dwell richly in our lives, to continually inspire and sustain us. Grant us the serenity to accept that which can not be changed, the courage to change that which needs to be changed, and the wisdom to know the difference. Help us to protect and preserve freedom's truth through the renewing of our faith and devotion to the blessed ideals upon which our State and Nation were founded. In our every endeavor, endow us with both mission and purpose to honor and glorify Thy Holy Presence — in the spirit of brotherhood and peace we unite in Thy Name. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Weber of Croydon led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced a group of students from the Center School in Londonderry, courtesy of Mr. Shepard of Londonderry.

The Chair also extended greetings to several groups of ladies in the gallery.

### **Leaves of Absence**

Mrs. Moulton of New Durham was granted leave of absence for the week on account of illness in the family.

Mrs. Blanchette of Dover was granted an indefinite leave of absence on account of illness.

Mr. Bouvier of Swanzey was granted leave of absence for today and Wednesday on account of illness in the family.

Mr. Lambert of Hooksett was granted leave of absence for today on account of important business.

Mr. Keough of Gorham was granted leave of absence for the week on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 619, to revise the charter of the city of Nashua. (Pappagianis of Nashua) to the Nashua Delegation.

HB 620, relative to citizens job protection. (Welch of Concord) to Labor.

HB 621, relative to the production, distribution and sale of milk and other dairy products. (Adams of Madbury, Spollett of Hampstead and Underwood of Chester) to Agriculture.

HB 622, relative to private water supplies. (Rules Committee — Peterson of Peterborough and Pappagianis of Nashua) to Public Works.

HJR 37, in favor of the state of James A. Purington. (Rules Committee — Mr. Eastman of Exeter) to Claims and Aeronautics.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to dispense with the printing, reference to committee and public hearing on HJR 37.

Joint resolution in favor of the estate of James A. Purington.

*Resolved* by the Senate and House of Representatives in General Court convened:

*That* the state treasurer be and hereby is directed to pay to the estate of James A. Purington of Exeter the balance of salary due said decedent as a member of the House of Representatives..

\* \* \*

The Clerk read the House Joint Resolution in full.

The motion prevailed and the House Joint Resolution was ordered to a third reading.

HJR 38, in favor of the estate of Leon J. Littlefield, was read a first and second time and referred to Claims and Aeronautics.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to dispense with the printing, reference to committee and public hearing on HJR 38.

Joint resolution in favor of the estate of Leon J. Littlefield.

*Resolved* by the Senate and House of Representatives in General Court convened:

*That* the state treasurer be and hereby is directed to pay to the estate of Leon J. Littlefield of Somersworth the balance of salary due said decedent as a member of the House of Representatives.

\* \* \*

The Clerk read the House Joint Resolution in full.

The motion prevailed and the House Joint Resolution was ordered to a third reading.

### **Committee Reports**

HB 463, relative to tenure of office of the chief of police of the city of Dover, Mr. Maglaras of Dover for the Dover Delegation. Ought to pass.

Mr. Maglaras of Dover offered the following amendment and moved its adoption.

### **Amendment to HB 463**

Amend section 1 of the bill by striking out the word "public" in the tenth line, so that said section as amended shall read as follows:

1 City of Dover. Amend Laws 1953, chapter 358 by inserting after section 24 of the new charter as inserted by section 33 of said chapter 358 the following new section: 358:24-a

Chief of Police. The chief of police shall be appointed by the manager for an indefinite period of time, and his tenure of office shall depend upon his good conduct and efficiency. Said chief shall be technically qualified by training and experience, and shall be removed by the manager only for just cause and after a hearing by the city council, to be held after at ten days notice in writing has been given to him of the charges against him. Nothing herein shall be construed as prohibiting an appeal by said chief to the court.

Amend section 3 of the bill by striking out the word "public" in the eleventh line so that said section as amended shall read as follows:

3 Chief of Police. Amend the alternative city charter of the city of Dover, Laws 1949, chapter 430, by inserting at the end of section 33 the following new subparagraph: (g) The commissioners shall appoint for an indefinite period of time a chief of police to serve as the chief officer of the police department and his tenure of office shall depend on the good conduct and efficiency. Said chief shall be technically qualified by training and experience and shall be removed by the commissioners only for just cause and after a hearing by the city council to be held after at least ten days' notice in writing has been given to him of the charges against him. Nothing herein shall be construed as prohibiting an appeal by said chief to the court.

\* \* \*

The Clerk read the amendment in full.

The amendment was adopted and the bill was ordered to a third reading.

HB 390, to authorize the change of name of Wentworth Hospital and Wentworth-Dover City Hospital to Wentworth-Douglass hospital, Mr. Maglaras of Dover. Ought to pass.

The bill was ordered to a third reading.

HB 344, relating to school building aid, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 567, relative to notices for caucuses, Mr. Barker of Stratham for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 567**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to notices of and time for holding town caucuses.

Amend said bill by inserting after section 1 the following new sections:

2 Town Elections. Amend RSA 56 by inserting after section 75 the following new section: 56:75-a Small Towns. In a town which has the Australian ballot system for the election of town officers and which has less than forty-five hundred inhabitants a caucus for nomination of candidates for said election shall be held at least eight days prior to the day of election.

3 Larger Towns. Amend RSA 56 by inserting after section 87 the following new section: 56:87-a Time for Holding Caucus. Any caucus held under the provisions of this subdivision in a town of forty-five hundred inhabitants or over for the purpose of nominating candidates for election at the town meeting under the Australian system shall be held at least ten days prior to the day of said election.

Further amend said bill by renumbering section 2 to read section 4.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 426, to provide reduced airways toll on jet fuel, Mr. Brocklebank of Hollis for Ways and Means. That the bill be referred to the 1965 Legislature.

The resolution was adopted.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Bill No. 216, relative to reports to the tax commission,

having considered the same, report the same with the recommendation that the house recede from its position of non-concurrence and concur with the amendments sent down by the honorable senate.

Carroll A. Hill

D. Everett Palmer

George W. Stafford

Conferees on the part of the House

Margaret B. DeLude

Robert E. Whalen

Conferees on the part of the Senate

The report was adopted.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Bill No. 75, relative to veterans' exemption, having considered the same, report the same with the recommendation that the house recede from its position of non-concurrence and concur with the senate amendment.

The committee further recommends that the following amendment be adopted:

Amend section 3 of the bill by striking out the figure "1963" and inserting in place thereof the figure, 1964, so that said section as amended will read as follows: 3 Takes Effect. This act shall take effect as of April 1, 1964.

Charles H. Gay

George W. Underhill

John Twardus

Conferees on the part of the House

Laurier Lamontagne

Samuel Green

Conferees on the part of the Senate

The report was adopted.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolution:

HB 144, An act relative to retired members of the policemen's retirement system.

HB 233, An act relative to Colby Junior College for Women.

HB 268, An act providing for the classification of the waters of Newfound Lake.

HB 339, An act relative to assessing abutters for sidewalks.

HB 345, An act prescribing the time within which certain articles for the warrant are to be presented.

SB 105, An act to legalize the proceedings of the meeting of a certain cooperative school district held at Lancaster, May 14, 1963.

HJR 29, Joint resolution providing additional funds for cancer commission.

HB 262, An act relative to temporary employees of the department of public works and highways.

HB 409, An act to exempt from inheritance tax property passing to an adopted grandchild.

HB 335, An act relating to discharge or removal from office of county employees and the choosing of a vice-chairman of the county convention.

HB 493, An act relative to compensation of the special justice for Portsmouth municipal court.

SB 119, An act relative to access roads to privately operated ski developments.

Mrs. Potter of Northumberland  
Mr. York of Concord

### Senate Messages

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 111, legalizing the proceedings of the annual school district meeting of the Bow school district.



### Introduction of a Senate Bill

SB 111, legalizing the proceedings of the annual school district meeting of the Bow school district, was read a first and second time and referred to Municipal and County Government.

Mr. Hanson of Bow moved that the Rules of the House be so far suspended as to dispense with reference to committee and public hearing on SB 111 and spoke in favor of the motion.

The motion was adopted and the bill was ordered to a third reading.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 216, relative to reports of the tax commission and the President has appointed as members of said Committee on the part of the Senate: Senator Whalen and Senator DeLude.

\* \* \*

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 248, requiring certain marking for so-called native farm products and the President has appointed as members of said Committee on the part of the Senate: Senator Mitchell and Senator Chasse.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 31, relative to the repeal of the school per capita tax.

### Resolutions

Mr. MacDonald of Concord offered the following Resolutions:

*Whereas*, The New Hampshire Hospital School of Nursing is observing its 75th Anniversary in October of this year; and

*Whereas*, Graduates of this School have served with distinction in all fields of nursing including the Military; and

*Whereas*, The New Hampshire Hospital continues to enjoy a high nurse-patient ratio which is unique in Hospitals in the United States; and

*Whereas*, The recently published Report of the Surgeon Generals Consultant Group on Nursing emphasizes the urgent need for many more nurses to ensure adequate nursing services in the years to come; therefore, be it

*Resolved*, That the 1963 New Hampshire Legislature pays tribute to the men and women whose inspiration, vision and initiative prompted the establishment of the New Hampshire Hospital School of Nursing in 1888, to those who have nurtured its growth, and to those who presently continue to promote the interests of this School; and be it further

*Resolved*, That the 1963 New Hampshire Legislature pays its respects to the graduates of the New Hampshire Hospital School of Nursing, its Alumnae Association and the Students presently enrolled for their illustrious, dedicated, humanitarian service to the people of New Hampshire and others, and for their promise for the future. Finally, be it

*Resolved*, That the 1963 New Hampshire Legislature extends its gratitude and best wishes for continued success to the New Hampshire Hospital School of Nursing.

The resolutions were adopted.

Messrs. LaFlamme and Bingham of Concord offered the following Resolutions:

*Whereas*, Mrs. Virginia Rocheleau, daughter of Edward H. York, Representative from Concord, Ward 1, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby offer our heartfelt sympathy to her family in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative York.

The resolutions were unanimously adopted.

Mr. Charland of Franklin offered the following Resolutions for the Franklin Delegation:

*Whereas*, Lester Boomhower, a former Representative from Franklin, has passed away, and

*Whereas*, He served his city as Fire Chief for many years, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his son, Leonard Boomhower.

The resolutions were unanimously adopted.

Mr. Charland of Franklin offered the following Resolutions for the Franklin Delegation:

*Whereas*, Henry Prince, former Representative from Franklin, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his city and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to Mrs. Prince.

The resolutions were unanimously adopted.

\* \* \*

On motion of Mr. Pickett of Keene the Rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading

of bills be by title only and resolutions by caption only and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Afternoon Session**

#### **Third Readings**

The following bills and resolutions were read a third time, passed, and sent to the Senate for concurrence:

SJR 37, in favor of the estate of James A. Purington.

SJR 38, in favor of the estate of Leon J. Littlefield.

HB 463, relative to tenure of office of the chief of police of the city of Dover.

HB 390, to authorize the change of name of Wentworth Hospital and Wentworth-Dover City Hospital to Wentworth-Douglass Hospital.

HB 567, relative to notices of and time for holding town caucuses.

SB 111, legalizing the proceedings of the annual school district meeting of the Bow school district, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

On motion of Mrs. Martin of Littleton the House adjourned at 12:01 P.M.

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WEDNESDAY, MAY 29, 1963

The House met at 11:00 A.M.

(Mr. Peterson of Peterborough in the Chair)

#### **Joint Convention**

Prayer was offered by the Chaplain as follows:

Almighty God, Thou who hast been the guardian of our nation through the years of peril, challenge, and prosperity.

We, being surrounded by the great cloud of witnesses who have served valiantly in the defense of our Granite State and of our America, gratefully acknowledge their efforts and sacrifices in our behalf. May the words of memorial as spoken by the Apostle Paul reveal to us our mission and purpose — "Therefore, since we are surrounded by so great a cloud of witnesses, let us also lay aside every weight, and sin which clings so closely, and let us run with perseverance the race that is set before us, looking to Jesus, the pioneer and perfecter of our faith."\* As we honor the memory of these men and women of faith and courage, may their sacrifices be an ever constant inspiration and a continual reminder of our responsibilities today in the preservation of freedom. May we be worthy of Thine infinite love and blessing as we serve Thee, our State, and Nation in the cause of liberty and peace for all. Amen.

\* — Paul's "Letter to the Hebrews"  
Chapter 12, verses 1, 2

### **Pledge of Allegiance to the Flag**

Mr. Heald of Wilton led the Convention in the Pledge of Allegiance to the Flag.

\* \* \*

The Choraleers from the Dover High School under the direction of Robert E. Moore entertained the Joint Convention with songs and were enthusiastically received.

\* \* \*

### **A Special Prayer for Pope John XXIII Led by Reverend Shafer, Chaplain**

Mr. Feldman of Manchester offered the following resolution and moved its adoption:

*Resolved*, that the House of Representatives in joint convention with the Honorable Senate join in a minute of silent prayer for Pope John XXIII.

The resolution was unanimously adopted.

The Joint Convention stood in silent prayer for Pope John XXIII for one minute.

\* \* \*

On motion of Senator English from the 11th District the Joint Convention rose.

## House

(Speaker Lamprey in the Chair)

### Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of seniors from the Exeter High School, courtesy of the Exeter Delegation.

A group of 8th grade students from the St. Casimir school of Manchester, courtesy of the Manchester Delegation.

A group of students from Wilton High School, courtesy of Mr. Heald of Wilton.

A group of students from Central School in Sutton, courtesy of the House.

### Leave of Absence

Mr. Lamprey of Tuftonborough was granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 623, relating to conflicts of interests of public officials and employees. (Bednar of Hudson) to Judiciary.

HB 624, rendering incompatible the offices of full-time salaried police officer and deputy sheriff. (Bednar of Hudson) to Executive Departments and Administration.

HB 625, relative to motor vehicle road toll refunds for transit companies operating within municipalities and providing for the incorporation of a public authority for the purpose of the operation of such transit companies. (Rules Committee — Mr. Belanger of Manchester) to Public Works.

### Committee Reports

HB 579, to amend the charters of various savings banks, Mr. Allen of Rindge for Banks. Ought to pass with amendment.

**Amendment to HB 579**

Amend section 2 of the laws of 1823, chapter 36 as inserted by section 1 of the bill by striking out the words "or other personal property" in the fifth line, so that said section as amended shall read as follows: Sec. 2. And be it further enacted, that the said Corporation shall be capable of receiving from any person or persons, disposed to enjoy the advantages of said savings bank, any deposit or deposits of money, and to use, manage and improve the same for the benefit and advantage of the person or persons, by, or for, whom the same shall be deposited respectively, and the net income and profits of all deposits of money received by said Corporation shall, after the establishment of proper reserves, be paid out and distributed in just proportion among the several persons by, or for, whom the said deposits shall have been made; and all such deposits may be withdrawn by the persons entitled thereto, at such reasonable times, and in such manner as said Corporation in its by-laws may direct and appoint; or, according to such lawful conditions and limitations as the depositors, agreeably to the regulations of said Society may respectively have prescribed and annexed to their deposits.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 53, changing the hours for hunting wild deer and black bear, Mr. Anderson of Warren for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 139, relating to the taking of black bear, Mr. LaFrance of Manchester for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 213, establishing a closed season on hen pheasants in certain towns, Mr. Merrill of Hampton Falls for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 242, prohibiting the taking of hen pheasants, Mr. Welch of Concord for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

HB 249, relative to the taking of wild black bear, Mr. Vashaw of Berlin for Fish and Game. Ought to pass with amendment.

### **Amendment to HB 249**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Taking in May Prohibited. Amend RSA 208:22 (supp) as inserted by 1961, 126:1, by striking out said section and inserting in place thereof the following:

208:22 Wild Black Bear. Wild black bear, outside of game preserves, may be taken and possessed from one-half hour before sunrise to one-half hour after sunset in all counties of the state from September 1 to closing date of the deer season provided that no bear shall be taken at any time on any island or in any waters or lakes or ponds. Wild black bear may be taken with or without the use of dogs during the months of September and October to the opening of the deer season. Wild black bear may be taken by the aid and use of dogs, firearms and by bow and arrow provided that no person shall take bear by the aid or use of a jack or artificial light, trap, snare, swivel, pivot or set gun or calibre .22 rimfire firearm unless otherwise herein provided. Any person who kills a wild bear as provided by this section shall report as outlined in RSA 170:1-a. Landowners, or their agents, shall be permitted to set traps for bear doing actual or substantial damage to property. Such trapping shall only be permitted after the director or his agents has been notified of damage and have investigated said complaint. The director or his agents may then issue a special permit for the use of traps. Said permit shall state the location of traps and the dates when trapping shall be allowed. Any traps set as hereinbefore described shall be arranged and set in accordance with RSA 210:15. The carcass of a bear legally taken and reported may be bought and sold. Live bear may not be offered for sale at any time unless by a person permitted so to do by the director. The director or his agents may take bear doing actual or substantial damage to property by the aid and use of dogs when deemed necessary. Any person who violates any provision of this section shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.



The amendment was adopted and the bill was ordered to a third reading.

HB 316, relative to the taking of pheasants, was withdrawn by the committee. Mr. London of New London explained the reason for the action of the committee.

HB 564, to establish the law of comparative fault, Mrs. Cooper of Nashua for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 433, relative to recording devises of real estate in the registry of deeds, Miss Normandin of Laconia for Judiciary. Ought to pass with amendment.

### **Amendment to HB 433**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Register of Probate. Amend RSA 548 by inserting after section 7 the following new section: 547:7-a Record of Decedents' Real Estate. Whenever it shall appear from reports filed with the register of probate in connection with the administration of any estate that said estate contains real estate located within the state, the register shall notify the registers of deeds of the county or counties wherein such real estate lies of the name and date of death of the decedent. Registers of deeds receiving such notice shall record in the grantor's index the name of the decedent, his date of death and the county in which his estate is probated.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 80, relative to a five day week for the city of Manchester police department, Mrs. Ainley of Manchester for the Manchester Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 573, relative to service exemption from taxation, Mr. Gay of Derry for Military and Veterans Affairs. Inexpedient to legislate.

The resolution was adopted.

The Chair called for the Special order on HB 471, adopting certain provisions of the uniform vehicle code, the question being on the committee report, ought to pass with amendment.

Mr. Upton of Concord moved to recommit HB 471 to the committee on Transportation and spoke in favor of the motion.

Mr. Claffin of Wolfeboro and Mr. Pickett of Keene spoke in favor of the motion.

Mr. Kimball of Manchester spoke in favor of the motion.

### **Point of Information**

Mr. Stafford of Laconia rose on a point of information.

\* \* \*

The motion was adopted, and HB 471 was recommitted to Transportation.

### **Appointment of Committee of Conference**

The Chair appointed Mrs. Ainley of Manchester, Mr. Kearns and Mr. Conover of Manchester as conferees on the part of the House on HB 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester.

### **Senate Messages**

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 13, amending the statute relative to taking fisher.

SB 22, to provide or retain public access to recreational bodies of water.

SB 112, relative to Pittsfield Dam acquisition.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 113, amending the statute relative to taking fisher, to Fish and Game.

SB 22, to provide or retain public access to recreational bodies of water, to Fish and Game.

SB 112, relative to Pittsfield Dam acquisition, to Resources, Recreation and Development.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 121, relative to the construction of physical education facilities at the University of New Hampshire.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 75, relative to veterans' exemptions.

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 216, relative to reports of the tax commission.

### **Report of Committee of Conference**

The Committee of Conference, to whom was referred House Bill No. 183, relative to the definition of a hair dressing shop having considered the same, report the same with the recommendation that the house recede from its position of non-concurrence and concur with the senate amendment.

Fred L. Green  
Glenna H. Rubins  
Paul B. Maxham

Conferees on the part of the House

Edith B. Gardner  
Louis W. Paquette

Conferees on the part of the Senate

The report was adopted.

The Chair announced that today is the birthday of Mr. Abare of Troy and that tomorrow is the birthday of Mr. La-vallee of Nashua.

### Personal Privilege

Mr. Taft of Greenville rose on a point of personal privilege.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 579, to amend the charters of various savings banks.

HB 249, relative to the taking of wild black bear.

HB 433, relative to recording devises of real estate in the registry of deeds.

SB 80, relative to a five day week for the city of Manchester Police department, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

On motion of Mrs. Brown of Sandwich the House adjourned at 12:32 P.M.

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TUESDAY, JUNE 4, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O FATHER of Merciful Love, into Thy presence we come with humble hearts, heavy with sorrow, and burdened with

the knowledge that the beloved "Pope of Peace", Pope John XXIII, has passed from this life unto death to enter Thy blessed Kingdom of Eternal Love. May the inspiration of this humble servant, who ministered to the needs of the world committed to his care, linger in our hearts as a living memorial to Thy glory. May the Christian Love and Brotherhood which he sought in Thy Name, for the benefit of all humanity, be strengthened through our imitation of his endeavors.

Continually impart Thy favor upon our beloved "Granite State" as we endeavor to preserve our heritage, looking with faith unto the future. Grant Thy blessing upon our Governor, his Council, and the Members of this Joint Convention as they seek to guide us through the present in our quest for a happy and prosperous future. May we be worthy of Thy Love through our daily service in this earthly kingdom, to merit the blessings of Thy Coming Kingdom — through the Name of the Father, the Son, and the Holy Spirit. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Fogg of Milan led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of students from the Gilford school, courtesy of Mr. Goodhue of Gilford.

A group of students from the Rindge school, courtesy of Mr. Allen of Rindge.

A group of students from the Moorer school in Candia, courtesy of Mr. Persson of Candia.

A group of elementary school students from Hooksett, courtesy of the Hooksett Delegation.

A group of 8th grade students from Smith Road school, courtesy of the Manchester Delegation.

A group of 5th grade students from the Farmington school, courtesy of Mr. Drew of Farmington.

A group of grade school students from Milan, courtesy of Mrs. Fogg of Milan.

### **Leaves of Absence**

Messrs. Shea of Keene and Lamprey of Tuftonboro were granted leave of absence for the week on account of important business.

Messrs. Bruton of Manchester and Turner of Gilsum were granted leave of absence for the week on account of illness.

Messrs. Spanos of Newport and Phelps of Andover were granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 626, relative to marine fisheries (Mrs. Greene of Rye) to Resources, Recreation and Development.

HB 627, to allow towns to increase their boards of selectmen. (Bednar of Hudson and Mrs. Morrison of Salem) to Municipal and County Government.

HB 628, relative to the practice of chiropractic (Andersen of Concord) to Public Health.

HB 629, relative to practice of barbering (Maglaras of Dover) to Public Health.

HB 630, providing for collection of taxes on property being re-assessed. (Bednar of Hudson) to Ways and Means.

HB 631, relative to political expenditures by special committees (Upton of Concord, Johnson of Hanover, and Peterson of Peterborough) to Judiciary.

HB 632, authorizing the dissolution of the Penacook school district and uniting the same with the union school district of Concord. (York of Penacook) to Concord Delegation.

### **Error in Journal of Wednesday, May 29**

In the Journal for Wednesday, May 29 — on Page 6, in the report on HB 433, An Act relative to recording devises of real estate in the registry of deeds, reported as Ought to pass with amendment, the following words were omitted — “The amendment was adopted and the bill was ordered to a third reading.” The Chair asked for unanimous consent that this omission be corrected in the permanent Journal. Such consent was granted.

### **Committee Reports**

HB 459, relative to the powers of Belknap College, Mrs. Demers of Lebanon for Education. Ought to pass with amendment.

### **Amendment to HB 459**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Authority Conferred. Belknap College, a voluntary corporation formed under the provisions of chapter 292 of the Revised Statutes Annotated of the State of New Hampshire and located at Center Harbor, in the county of Belknap and said state, is hereby authorized and empowered to establish and maintain an institution of learning to be known as Belknap College, to prescribe rules for the government of said college and the courses of studies to be pursued therein. Said college may confer upon the graduates and others such degrees, literary titles, honors and distinctions as are usually granted by institutions of a similar character provided that such degrees and honors shall be granted only after approval by an agency of the state authorized by the general court to review and approve the granting of degrees by such institutions and then not earlier than one year from the passage of this act.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 505, relative to membership of the school board of Tilton and Northfield Union School District, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was ordered to a third reading.

SB 48, relating to probate courts, Mr. Johnson of Hanover for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 549, relative to compensation of policemen in the city of Portsmouth, Mr. Coussoule of Portsmouth for the Portsmouth Delegation. Ought to pass with amendment.

#### **Amendment to HB 549**

Amend section 1 of said bill by inserting after the word "Portsmouth" in the second line the words, other than the city marshal, and by striking out the words "at the regular rate of pay" in the seventh and eight lines thereof and inserting in place thereof the words, on the base rate of pay for the man in grade; provided, however, that no additional compensation shall be paid policemen under this act when appearing as witnesses in criminal cases in any court, but instead the provisions of RSA 592-A:13 (supp) shall apply in such instances, so that said section as amended shall read as follows:

1 City of Portsmouth. The annual salary of a policeman in the city of Portsmouth, other than the city marshal, shall be based upon a standard work week of forty hours, or five consecutive days at eight hours per day. Compensation shall be paid for time worked over the standard work period and said additional compensation shall be computed on the base rate of pay for the man in grade; provided, however, that no additional compensation shall be paid policemen under this act when appearing as witnesses in criminal cases in any court, but instead the provisions of RSA 592-A:13 (supp) shall apply in such instances.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

#### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:



HB 31, An act relative to the repeal of the school per capita tax.

HB 75, An act relative to veterans' exemption.

HB 121, An act relative to the construction of physical education facilities at the University of New Hampshire.

HB 147, An act relative to the use of boats and outboard motors on small ponds.

SB 111, An act legalizing the proceedings of the annual school district meeting of the Bow school district.

HB 216, An act relative to reports to the tax commission.

Mrs. Potter of Northumberland  
Mr. York of Concord

### **Senate Messages**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 33, to provide additional industrial agents.

### **Introduction of a Senate Bill**

SB 33, to provide additional industrial agent, was read a first and second time and referred to Appropriations.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 343, establishing minimum standards for mobile homes under city building codes.

### **Amendment to HB 343**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following: 1 Mobile Homes. Amend RSA 47 by inserting after section 22 the following new section: 47:22-a Mobile Homes and Travel Trailers. The

board of mayor and aldermen, or the corresponding governmental body of any city or the local legislative body of any municipality or town is hereby empowered and authorized to establish minimum construction standards for mobile homes and travel trailers used as dwellings in the city, by adopting by reference any nationally recognized code for mobile homes or travel trailers that has been printed as a code or any portions thereof, or any amendments to such code, to apply to all mobile homes and travel trailers manufactured on or after January 1, 1964; provided that upon adoption of such ordinance wherein such code or portions thereof have been incorporated by reference, there shall be filed three copies of such code in the office of the building inspector, if any, and three copies in the office of the city or town clerk. All copies of any code filed as provided herein shall be for the use and examination by the public.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 442, relating to the sale of state land at Intervale Ski Area.

#### **Amendment to HB 442**

Amend the bill by striking out section 2 and inserting in place thereof the following:

2 Negotiations and Fixing Price. Negotiations for said sale shall be conducted by the commissioner of resources and development and the price shall be determined by him, with the approval of the advisory commission.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Senate amendment.

#### **Report of Engrossed Bills Committee under Rule 6**

SB 80, relative to a five day week for the city of Manchester police department, Mrs. Potter of Northumberland for

Engrossed Bills, under Joint Rule No. 6. Ought to pass with amendment.

### Amendment to SB 80

Amend section 1 of said bill by striking out the first ten lines and inserting in place thereof the following:

1 Manchester Police Department. Amend section 1 of chapter 352 of the Laws of 1917, as amended by section 1 of chapter 290 of the Laws of 1943, and section 1 of chapter 299 of the Laws of 1951 by adding at the end thereof the words, or he shall be reimbursed for the time so lost at the prevailing rate of pay, at the discretion of the member, so that said section as amended shall read as follows: Section 1. Subject to the provisions of

\* \* \*

The Clerk read the amendment in full.

On motion of Mr. Conover of Manchester the House concurred in the amendment.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 183, relative to the definition of a hairdressing shop.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 147, relative to the use of boats and outboard motors on small ponds.

HB 329, relative to initial registration plates for boats.

\* \* \*

Mr. Sherman of Lancaster moved that the committee of conference on HB 290, relative to the retirement age for state employees under the state employees' retirement system, be discharged and a new committee appointed.

The motion was adopted.

Mr. Wheeler of Exeter moved that the committee of conference on HB 207, providing immunity from liability in emergency cases, be discharged and a new committee appointed.

The motion was adopted.

### Point of Information

Mr. Kimball of Manchester rose on a point of information.

\* \* \*

Mr. Pickett of Keene offered remarks concerning the death of Pope John XXIII.

\* \* \*

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only and that when the House adjourns today it be in honor of the memory of Pope John XXIII, and to meet tomorrow morning at 11:00 A.M.

On a rising vote the motion was unanimously adopted.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 459, relative to the powers of Belknap College.

HB 505, relative to membership of the school board of Tilton and Northfield Union School District.

HB 549, relative to compensation of policemen in the city of Portsmouth.

SB 48, relating to probate courts, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

The Chair announced that June 1st was the birthday of Mr. Campbell of Claremont.

\* \* \*

On motion of Mrs. Thompson of Northfield the House adjourned at 11:54 A.M. in memory of Pope John XXIII.

WEDNESDAY, JUNE 5, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered as follows by Guest Chaplain Reverend Lewis H. Moulton of Concord, Northern District Superintendent of the Methodist Church in New Hampshire:

Our Father in heaven, we thank Thee for teaching us to value this moment, of looking up to Thee at the commencement of the day — lest we forget the purpose Thou gavest it for. We thank Thee that Thou hast placed us in a world that needs today what we can give it, and so give dignity, and meaning to our transient lives.

We acknowledge our short comings. Create in us clean hearts, O God, and renew a right spirit within us.

Grant to the Governor, and to those who have gathered here to work this day, wisdom which cometh only from above. Fill their hearts with kindness and compassion. So fortify them by Thy might that goodness and truth, law & order, justice & peace may everywhere prevail to the honor of Thy holy name through Jesus Christ our Lord. Amen.

### Pledge of Allegiance to the Flag

Mr. Drew of Farmington led the Convention in the Pledge of Allegiance to the Flag.

### House

#### Introduction of Guests

The Chair introduced the following groups as guests of the House today:

A group of students from the Highland school of Manchester, courtesy of the Manchester Delegation.

A group of students from Memorial High School of Manchester, courtesy of the Manchester Delegation.

A group of 5th grade students from Farmington, courtesy of the Farmington Delegation.

A group of elementary school students from Atkinson, courtesy of Mr. White of Farmington.

A group of 5th, 6th, 7th and 8th grade students from Groton-Hebron school, courtesy of Mr. Nettleton of Groton and Mrs. Hampson of Hebron.

The Goslin Meadows Boy Scout Troop from Portsmouth, courtesy of Mrs. Legasse of Portsmouth.

A group of students from Central school in Salem, courtesy of the Salem Delegation.

A group from the Golden Age Club of Portsmouth.

### Leave of Absence

Mr. Lambert of Hooksett was granted an indefinite leave of absence on account of important business.

### Introduction of Bills

The following bills were introduced, read a first and second time, and referred as follows:

HB 633, relating to the veterans' service exemption (Peever of Salem) to Military and Veterans' Affairs.

HB 634, providing for a committee to study the possibility of permitting cities and towns to impose special local taxes. (Johnson of Hanover) to Ways and Means.

HB 635, suspending the operation of the milk control act, (Hambleton of Goffstown) to Agriculture.

HB 636, providing for the widening and reconstruction of sidewalks on state-owned land at Hampton Beach. (Shindle-decker of Hampton) to Resources, Recreation and Development.

HB 637, relative to auto sales financing. (Hancock of Concord) to Banks.

HB 638, relative to relocation of road in Rye. (Young of Rye) to Public Works.

HB 639, to benefit students at Keene teachers college (Russell and Pickett of Keene) to Education.

HB 640, providing for the employment and salaries of professional personnel of the state board of education at the state teachers colleges (Pickett and Russell of Keene) to Education.

HB 641, relative to business corporation law (Spanos of Newport) to Judiciary.

HB 642, relative to disclosure of vital statistics records (Wheeler of Exeter) to Judiciary.

HB 643, relative to make-up of election ballots (Johnson of Hanover) to Executive Departments.

HB 644, relative to mechanics liens (Johnson of Hanover) to Judiciary.

HJR 39, providing for an investigation and study by a special commission relative to loans and credit (Rules Committee — Hancock of Concord) to Banks.

### **Committee Reports**

HB 603, to expand the authority of the aeronautics commission and make appropriations therefor, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The bill was referred to the committee on Appropriations under the Rules.

HB 316, relative to the taking of pheasants, Mr. Connolly of Berlin for Fish and Game. Ought to pass with amendment.

### **Amendment to HB 316**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Open Season Defined. Amend RSA 209:2 (supp) as amended by 1957, 80:1, by striking out said section and inserting in place thereof the following:

209:2 Pheasants. Pheasants may be taken and possessed from October first to October thirty-first, except that section of Rockingham and Strafford counties east of the following described line shall be open to the taking of male pheasants only: commencing at the Massachusetts-New Hampshire state line where route 125 enters New Hampshire in the town of Plaistow and continuing in a northerly direction along route

125 to route 11 in the city of Rochester and thence along route 11 to the Maine state line. No person shall take more than two pheasants in one day. No person shall take more than ten pheasants in any one calendar open season, or have in his possession at one time more than two days' bag limit of pheasants.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 599, relating to counsel for indigent criminal defendants, Mr. Capistran of Manchester for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 576, relative to appointment of assistant election officials in towns, Mr. Hill of Conway for Municipal and County Government. Ought to pass.

The bill was ordered to a third reading.

HB 28, relative to motor vehicle driver training and operator's license fees, Mr. Claflin of Wolfeboro for the Joint Committees on Transportation and Executive Departments and Administration. Inexpedient to legislate.

Mr. Cobleigh of Nashua moved that HB 28 be referred to the Legislative Council or the Legislative Service committee and spoke in favor of the motion.

Mr. Claflin of Wolfeboro spoke against the motion.

Mr. Kimball of Manchester spoke in favor of the motion.

(discussion ensued)

Messrs. Stafford of Laconia, McMeekin of Haverhill, Dupont of Manchester and Mr. Sherman of Lancaster spoke against the motion.

The motion was not adopted.

Mr. McMeekin of Haverhill moved that further consideration of HB 28 be indefinitely postponed.

The motion to indefinitely postpone prevailed.



### Senate Messages

The Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

#### Concurrent Resolution

*Whereas*, This year marks the one hundred fiftieth anniversary of the J. P. Stevens & Co., Inc., the oldest and the second largest textile manufacturing firm in the United States; and

*Whereas*, The said second largest textile manufacturing firm had its New Hampshire start when the Stevens family purchased the Griffin & Taylor Woolen Mills located in Franklin in 1870; and

*Whereas*, The J. P. Stevens & Co., Inc. now has mills in Franklin and Northfield, New Hampshire employing six hundred thirty-five employees and is an important part of the economic life of the Franklin, Tilton and Northfield area; and

*Whereas*, The phenomenal growth of the Stevens woolen mills into one of the largest and most diversified textile operations in the world is not only an inspiring success story, but a deserved tribute to the vision and the business acumen and the progressiveness of the successive managers of the Stevens manufacturing firm during the past century and a half; and

*Whereas*, The responsibility for guiding the current affairs of the J. P. Stevens & Co., Inc. is in the hands of Robert T. Stevens, who has achieved fame not only as an outstanding industrialist and leader in the textile industry, but also as Secretary of the Army under President Eisenhower; now therefore be it resolved,

*By the Senate, the House of Representatives concurring*, that the General Court of the State of New Hampshire extends its sincere congratulations to the J. P. Stevens & Co., Inc. on the occasion of the sesquicentennial anniversary of the founding of the Stevens textile manufacturing firm, and also extends its best wishes for its continued success.

The concurrent resolution was adopted.

A further Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 14, relative to revocation and suspension of licenses.

### **Introduction of a Senate Bill**

SB 14, relative to revocation and suspension of licenses, was read a first and second time and referred to Transportation.

A further Senate message announced that the Senate has voted to discharge the Committee of Conference and to accede to the request of the House of Representatives for a new Committee of Conference on the following entitled bill:

HB 286, relating to the salary of the mayor, aldermen and members of the school committee of the city of Manchester and the President has appointed as members of said Committee on the part of the Senate: Senator Martel and Senator Provost.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 414, relative to the operation of motor boats by certain minors.

### **Amendment to HB 414**

Amend RSA 270:30 as inserted by section 1 of the bill by striking out in line 2 the word "under" and inserting in line 3 after the word "age" the words, or under, so that said section as amended shall read as follows: 270:30 Operation when Accompanied by Adult. It shall be lawful for a person twelve years of age or under to operate a motor boat or outboard motor having a power in excess of twenty-five horse power when accompanied by an adult; but such adult shall be liable for personal injury or property damage which may result from such operation.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 131, relating to the prevention of fires by railroad locomotives.

HB 279, relative to the penalty for escape from houses of correction.

HB 346, relative to the authority of police employees.

HB 351, relative to vehicles of non-residents not regularly used on highways.

HB 401, relative to training of fire fighters.

HB 421, relative to fees for motor vehicles under motor-vehicle junk license.

HB 424, relating to the water works in the town of Greenville.

HJR 37, in favor of the estate of James A. Purington.

HJR 38, in favor of the estate of Leon J. Littlefield.

\* \* \*

The Senate has voted to discharge the Committee of Conference on the following entitled bill:

HB 290, relative to the retirement age for state employees under the state employees' retirement system and to appoint a new Committee of Conference and the President will appoint members of said Committee on the part of the Senate.

### Communication

June 3, 1963

Honorable Stewart Lamprey, Speaker  
House of Representatives  
State House  
Concord, New Hampshire

Dear Mr. Lamprey:

I am enclosing a copy of the Thirty-first Annual Report of the Comptroller for the fiscal year ended June 30, 1962. Copies

are also being sent to all members of your Appropriations Committee and a limited number of copies are available for distribution to interested members of the House.

Your announcement that Reports are available for distribution would be appreciated. Copies may be obtained from my office upon request.

Sincerely,

Leonard S. Hill. Comptroller

\* \* \*

Mr. Casassa of Hampton moved that the order whereby HB 436, relative to motor vehicle and boat number plates, was referred to Resources, Recreation and Development be vacated and that the bill be referred to Transportation.

The motion was adopted.

### Resolutions

Messrs. Littlehale, Bevan and Crouch of Durham offered the following Resolutions for the Durham Delegation:

*Whereas*, J. Guy Smart of Durham, former Representative, former Senator and former member of the Governor's Council, has passed away, and

*Whereas*, He served as tax collector for several terms, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That the Clerk of the House of Representatives transmit to his widow, Mrs. Vella M. Smart, a copy of these Resolutions.

The resolutions were unanimously adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 316, relative to the taking of pheasants.

HB 599, relating to counsel for indigent criminal defendants.

HB 576, relative to appointment of assistant election officials in towns.

\* \* \*

On motion of Mrs. Van Loan of Bedford the House adjourned at 12:08 P.M.

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THURSDAY, JUNE 6, 1963

The House met at 11:00 A. M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O FATHER of Infinite Mercy, guardian of righteousness, and redeemer of mankind — with humble hearts we enter Thy presence, seeking strength for a new day of legislative responsibility. Being mindful of this new age in which we live and serve — let our actions be dynamic and ebullient. May our judgments be sincere in our appraisal of the needs of our people — may we be worthy of the faith they have placed in our every decision. Forgive us when we lose sight of Thy Divine Light of Wisdom — trusting solely in our own goodness. Restore us through the power of Thy everlasting and eternal

Truth as we endeavor to protect and preserve our heritage of the past through our faith in the future. May we learn to love Thee as Thou hast loved us — in the Name of Jesus Christ, we pray. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Ainley from Manchester led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of students from the Central Elementary school of New Boston, courtesy of Mr. Todd of New Boston.

A group of students from Youngsville school of Manchester, courtesy of the Manchester Delegation.

#### **Leave of Absence**

Mr. Sherman of Lancaster was granted leave of absence for the day on account of a death in the family.

#### **Introduction of Bills**

The following bill was introduced, read a first and second time, and referred as follows:

HB No. 645, relative to Civil Air Patrol (Pickett of Keene) to Ways and Means.

#### **Committee Reports**

HB 503, removing the limitation of recovery of damages in cases of wrongful death, Mrs. Cooper of Nashua for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 385, relative to minimum wages, Mr. Stevenson of Bethlehem for Labor. Ought to pass with amendment.

**Amendment to HB 385**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Increase in Rate. Amend RSA 279:21 (supp) as amended by 1955, 288:1, 1957, 311:1 and 1959, 275:1, by striking out said section and inserting in place thereof the following: 279:21 Minimum Hourly Rate. No person, firm or corporation shall employ any employee at a rate of less than one dollar per hour, provided that during the period January 1, 1964 to December 31, 1964, both dates inclusive, such minimum rate shall be one dollar and fifteen cents per hour, and provided further that on and after January 1, 1965, such minimum rate shall be one dollar and twenty-five cents per hour. The limitations imposed hereby shall be subject to the following exceptions.

I. These limitations shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins.

II. These limitations shall not apply to employees engaged as newsboys or golf caddies.

III. These limitations shall not apply to employees of hospitals, orphanages, or homes for the aged organized as non-profit corporations, except that no non-profit hospital corporation or non-profit orphanage, or homes for the aged shall employ a laundry employee or nurse aide or practical nurse at a rate of less than eighty cents per hour; provided, that on and after January 1, 1964 such minimum rate shall be not less than ninety-five cents per hour.

IV. No person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley at a rate of less than seventy-five cents per hour, provided that on and after January 1, 1964 such minimum rate shall be not less than ninety cents per hour.

V. These limitations shall not apply to a person with less than six months' experience in an occupation, or a person eighteen years of age or under, provided that such person shall not be paid less than eighty cents per hour, and provided further that on and after January 1, 1964 such minimum rate shall be not less than ninety-five cents per hour.

2 Wage Board Appointed. The commissioner of labor forthwith shall appoint a wage board in conformity with RSA 279:5 for the purpose of making a study of the wages of employees of restaurants, hotels, inns and cabins. Said board shall serve without pay but the sum of thirty-five hundred dollars is hereby appropriated for their necessary expenses. Said sum appropriated shall be a charge upon the general fund.

3 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

Mr. Angus of Claremont explained the amendment.

The amendment was adopted and the Chair referred the bill to the Appropriations committee under the Rules.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to dispense with the reference to Appropriations and that the bill be ordered to a third reading.

Mr. Clement spoke in favor of the motion.

The motion was adopted and the bill was ordered to a third reading.

SB 30, providing for the development and redevelopment of areas of vacant or predominantly vacant land which are substandard or blighted, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

Mr. Hill of Conway offered the following amendment and moved its adoption.

#### Amendment to SB 30

Amend the bill by inserting after section 1 the following new section:

3 Application of Statutes. Amend provisions of RSA 205:1-b and 205:2-b as inserted by sections 1 and 2 of this act shall apply only to the cities of Manchester and Nashua and the town of Hampton.

Further amend said bill by renumbering section 3 to read section 4.

\* \* \*



The Clerk read the amendment.

Mr. Hill of Concord spoke in favor of the amendment.

Mr. Urie of New Hampton spoke against the amendment.

(discussion ensued)

Mrs. Grey of Canaan spoke in favor of the amendment.

(discussion ensued)

Mr. Pappagianis of Nashua spoke against the amendment.

The amendment was not adopted.

SB 30 was ordered to a third reading.

HB 111, relating to the printing of proceedings of the county convention of Belknap County, Mrs. Hayner of Laconia for the Belknap County Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 42, providing for the election of county commissioners for the county districts of Belknap county, Mrs. Hayner of Laconia for the Belknap County Delegation. Inexpedient to Legislate.

Mr. Harkins of Laconia moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate and spoke in favor of the motion.

Mr. Harkins then withdrew his motion and the resolution of the committee was adopted.

HB 415, increasing the salary of the Belknap county treasurer, Mrs. Hayner of Laconia for the Belknap County Delegation. Ought to pass with amendment.

### **Amendment to HB 415**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Bonds of Belknap County Commissioners. Amend RSA 27 by inserting after section 1 the following new section: 27:1-a Belknap County Commissioners. Before performing any official act, the several county commissioners of Belknap county shall give bond to the county, with sufficient sureties and with the

same condition as is prescribed for county attorneys and county treasurers by section 1. Such bonds shall be in such sum and such form as the county delegation shall prescribe and the expense thereof shall be borne by the county. Such bonds shall be filed in the office of the clerk of court for said county.

Amend section 2 of the bill by striking out the word and figures "January 1, 1964" and inserting in place thereof the word and figures, September 1, 1963, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect on September 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 584, relative to Belknap County Recreational Area, Mrs. Hayner of Laconia for the Belknap County Delegation. Ought to pass with amendment.

#### **Amendment to HB 584**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Tax Assessment. For the year 1963 and thereafter the county of Belknap shall pay to the town of Gilford, wherein the Belknap recreational area is located, an amount equal to the taxes assessed on said area in the tax year of 1962.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

Mr. Stafford of Laconia moved that HB 584 be recommitted to the Belknap Delegation and spoke in favor of the motion.

Mr. Stafford subsequently withdrew his motion.

Mr. Goodhue of Gilford moved that HB 584 be made a Special Order of Business for 11:01 on Thursday next.

Messrs. Urie of New Hampton and Prescott of Laconia spoke against the motion.

Mr. Goodhue of Gilford spoke in favor of the motion.

(discussion ensued)

The motion for Special Order was not adopted.

The committee amendment was adopted and the bill was ordered to a third reading.

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964, Mr. Clement for Appropriations. Ought to pass with amendments.

### Amendment to HB 545

Amend section 1 of the bill as follows:

Amend the bill in the paragraph for the legislative branch by inserting at the end of the third footnote relating to the office of legislative budget assistant the following sentence: The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor.

Amend the appropriation For executive branch, in the subsection Executive council by striking out the same and inserting in place thereof the following:

Executive council:

Personal services:

Other — per diem	\$15,500
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Secretary to governor's council	3,000
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Total	\$18,500
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Current expenses	2,300
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Travel	5,000
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Equipment (for furniture)	1,000
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Total for executive council	\$26,800
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Further amend the appropriation For executive branch, by changing the figures for "Total for executive branch" as follows: 197,737 changed to 198,737.

Amend the appropriation For adjutant general's department in the subsection State military reservation, Grenier air

force base, Manchester, by changing the figures for "Current expenses" as follows: 26,000 changed to 36,000; and by changing the figures for "Total" for said subsection as follows: 37,428 changed to 47,428. Further amend said appropriation For adjutant general's department, by changing the figures for "Total for adjutant general's department" as follows: 381,823 changed to 391,823; and by changing the figures for "Net appropriation" as follows: 311,602 changed to 321,602.

Amend the appropriation For agriculture, in the subsection for Bureau of weights and measures, by striking out the same and inserting in place thereof the following:

Bureau of weights and measures:

Personal services:

Permanent	\$32,916
Current expenses	3,010
Travel	4,375
Equipment	3,250

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Total	\$43,551
Less estimated revenue	15,000

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Net appropriation \$28,551

Further amend said appropriation For agriculture, by changing the figures for "Total for department of agriculture" as follows: 338,272 changed to 340,275; and by changing the figures for "Net appropriation" as follows: 330,522 changed to 332,525.

Amend the appropriation For attorney general, by striking out the same and inserting in place thereof the following:

For attorney general:

Office of attorney general:

Salary of attorney general	\$12,771
Salary of deputy attorney general	11,416
Salaries of four assistant attorneys general	39,012
Other personal services:	
Permanent	43,739
Other	1,500

---

Total \$108,438

Current expenses	6,000	
Travel	3,500	
Equipment	2,550	
Other expenditures:		
Subversive investigation	2,000*	
Commission on uniform laws	1,000	
Legal services re dept. of public works and highways	6,000	
Law enforcement manual	4,000†	
Northeastern regional con- ference	1,500‡	
		<hr/>
Total	\$134,988	
Less estimated revenue	33,515	
		<hr/>
Net appropriation		\$101,473

\*No part of this appropriation shall be spent without prior approval of the governor, and no part of this appropriation shall be transferred or expended for any other purpose.

†These funds shall not lapse.

‡The funds in this appropriation shall not lapse, but shall be available for expenditure in the following year.

Division of charitable trusts:

Salary of director	\$5,435	
Other personal services:		
Permanent	5,227	
Other	400	
		<hr/>
Total	\$11,062	
Current expenses	500	
Travel	300	
Equipment	660	
		<hr/>
Total		\$12,522
		<hr/>
Total for attorney general		\$113,995
		<hr/> <hr/>

Amend the bill in the appropriation For department of health and welfare: Division of public health services: Health,

in the subsection Administration: State, by striking out said subsection and inserting in place thereof the following:

Administration: State

Salary of director of public health services	\$14,888
Other personal services:	
Permanent	30,807
Other	1,580
<hr/> Total	<hr/> \$47,275
Current expenses	12,000
Travel	800
<hr/> Total	<hr/> \$60,075
Less credit transfers	6,300
<hr/>	<hr/>

Net appropriation	\$53,775
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Further amend the appropriation For department of health and welfare: Division of public health services: Health, in the subsection Vital statistics: State, by striking out the word "Total" of said subsection and inserting in place thereof the following: Total<sup>‡</sup>. Further amend said subsection by inserting at the end thereof the following footnote: <sup>‡</sup>Any revenue received in addition to this appropriation shall be available for expenditure for said purposes. Further amend the appropriation For department of health and welfare: Division of public health services: Health, in the subsection Sanitary engineering: State, by changing the figures for "Travel" as follows: 5,650 changed to 7,500; and by changing the figures for "Total" for said subsection as follows: 78,090 changed to 79,940. Further amend the appropriation For department of health and welfare: Division of public health services: Health, by changing the figures for "Total for health" as follows: 835,369 changed to 837,219; and by changing the figures for "Total for division of public health services" as follows: 1,301,587 changed to 1,303,437. Further amend the appropriation For department of health and welfare: Division of welfare, in the subsection Administration, by changing the figures for "Other personal services: Permanent" as follows: 205,712 changed to 204,512; by changing the figures for "Total" personal services as follows: 227,255 changed to 226,055; by changing the figures for "Total" of said subsection as follows: 346,823 changed to 345,623;

and by striking out the footnote at end of said subsection and inserting in place thereof the following footnote: This appropriation includes \$3,000 to be paid to the department of the attorney general for legal services and also included herein is a position of clerk-stenographer IV. Further amend the appropriation For department of health and welfare: Division of welfare, in the subsection Child welfare services: State funds, by striking out the words "State funds" and by inserting after said subsection the following new subsection:

Child welfare services:

Federal funds:

Personal services:

Other \$7,465

Other expenditures:

Educational leave 9,200

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Total† \$16,665

Less estimated federal funds† 16,665

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Net appropriation

0

†Expenditures in this appropriation shall be entirely from federal funds and shall be limited to the amount of the federal grant available for this purpose.

Further amend the appropriation for Division of welfare, by changing the figures for "Total for division of welfare" as follows: 3,408,424 changed to 3,407,224; and by changing the figures for "Net appropriation" as follows: 2,988,371 changed to 2,987,171.

Further amend the appropriation For department of health and welfare: Division of mental health, in the subsection Office of the director, by striking out the figure 75,000 for "Grants to communities re mental health services" and inserting in place thereof the following: 75,000\*. Further amend said subsection for Office of the director, by inserting at the end thereof the following footnote: \*The funds in this appropriation shall not lapse, but shall be available for expenditure in the following year.

Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school, in the subsection Professional care and treatment, by changing

the figures for "Personal services: Other" as follows: 8,800 changed to 11,300; by changing the figures for "Total" personal services as follows: 765,910 changed to 768,410; and by changing the figures for "Total" for said subsection as follows: 791,483 changed to 793,983. Further amend the appropriation for Laconia state school by changing the figures for "Total for Laconia state school" as follows: 1,726,603 changed to 1,729,103; and by changing the figures for "Net appropriation" as follows: 1,713,603 changed to 1,716,103. Further amend the appropriation For department of health and welfare: Division of mental health: State hospital, in the subsection Administration, by changing the figures for "Other personal services: Permanent" as follows: 123,968 changed to 110,289; by changing the figures for "Total" for personal services as follows: 151,109 changed to 137,430; and by changing the figures for "Total" of said subsection as follows: 198,885 changed to 185,206. Further amend the appropriation for State hospital, in the subsection Professional care and treatment, by striking out the words "Salary of director of psychiatric education and research" and inserting in place thereof the following: Salary of director of psychiatric education and research†. Further amend said subsection by inserting at the end thereof the following footnote: †The appropriation for the state hospital includes funds for maintenance for certain positions, one of which is the director of psychiatric education and research. In lieu of maintenance, notwithstanding any other provision of law, the sum of \$2,500 shall be paid to said director, G. Donald Niswander, from any funds appropriated for current expenses within said appropriation for the state hospital. Further amend the appropriation for State hospital by changing the figures for "Total for State Hospital" as follows: 5,201,962 changed to 5,188,283; and by changing the figures for "Net appropriation" as follows: 5,148,962 changed to 5,135,283. Further amend the appropriation For department of health and welfare: Division of mental health: Child guidance clinics, in the subsection Federal funds, by striking out said subsection and inserting in place thereof the following:

Federal funds:

Personal services:

Permanent	\$31,049
Other	4,500
<hr/>	
Total	\$35,549



Current expenses	1,051
Travel	1,000
Equipment	350
Other expenditures:	
Merit system	250
Retirement and oasi	1,200
Grants to communities	9,800 <sup>‡</sup>
Consultants	15,800
	<hr/>
Total*	\$65,000
Less estimated federal funds*	65,000
	<hr/>

Net appropriation

0

<sup>‡</sup>If eligible communities fail to qualify for grants under this appropriation, said appropriation may be spent for other purposes of the Child guidance clinics with governor and council approval.

Further amend the appropriation For department of health and welfare, in the Division of mental health, by changing the figures for "Total for division of mental health" as follows: 7,034,061 changed to 7,022,882. Further amend the appropriation For department of health and welfare, by changing the figures for "Total for department of health and welfare" as follows: 11,352,682 changed to 11,342,153.

Amend the appropriation For barbers' board, by changing the figures for Other Expenditures: "Transfer to division of public health services for salary of Clerk IV, and temporary clerk typist I" as follows: 2,000 changed to 2,151; and by changing the figures for "Total" for said appropriation as follows: 5,050 changed to 5,201.

Amend the appropriation For cancer commission: State funds, by changing the figures for "Personal services: Other" as follows: 25,000 changed to 26,250; by changing the figures for "Total" personal services as follows: 35,262 changed to 36,512; and by changing the figures for "Total" of said subsection as follows: 180,762 changed to 182,012. Further amend the appropriation For cancer commission, by changing the figures for "Total for cancer commission" as follows: 180,762 changed to 182,012; and by changing the figures for "Net appropriation" as follows: 148,762 changed to 150,012.

Amend the appropriation For board of registration of funeral directors and embalmers, by changing the figures for "Personal services: Other" as follows: 1,205 changed to 1,705; by changing the figures for "Travel" as follows: 1,198 changed to 1,800; by changing the figures for "Total" as follows: 2,934 changed to 4,036; and by changing the figures for "Less revenue and balance" as follows: 2,934 changed to 4,036.

Amend the appropriation For board of hairdressers, by changing the figures for "Personal services: Other" as follows: 1,500 changed to 2,000; and by changing the figures for "Total" of said appropriation as follows: 10,019 changed to 10,519.

Amend the appropriation For board of registration in medicine, by changing the figures for "Personal services: Other" as follows: 1,040 changed to 1,520; and by changing the figures for "Total" of said appropriation as follows: 3,105 changed to 3,585.

Amend the appropriation For insurance department: Office of the commissioner, by changing the figures for "Travel" as follows: 800 changed to 1,300; by changing the figures for "Equipment" as follows: 310 changed to 770; and by changing the figures for "Total" as follows: 77,450 changed to 78,410. Further amend said appropriation in the subsection for Rating division, by striking out said subsection and inserting in place thereof the following:

Rating division:

Personal services:

Permanent	\$14,523
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Other: insurance actuary†	5,000
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Total	19,523
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Current expenses	1,375
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Travel	300
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Equipment	300
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Total	\$21,498
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†The funds in this appropriation shall be for the employment of necessary actuarial services and no part thereof shall be transferred to any other appropriation or expended for any other purpose. Further amend said appropriation in the subsection for Real estate division, by changing the figures for

“Current expenses” as follows: 985 changed to 1,375; and by changing the figures for “Total” of said subsection as follows: 4,979 changed to 5,369. Further amend said appropriation by changing the figures for “Total for insurance department” as follows: 103,222 changed to 105,277; and by changing the figures for “Net appropriation” as follows: 86,653 changed to 88,708.

Amend the bill in the paragraph For department of labor: Office of commissioner, by changing the figures for Other personal services: Permanent as follows: 3,937 changed to 5,537; by changing the figures for “Total” personal services as follows: 21,456 changed to 23,056; and by changing the figures for “Total” for office of the commissioner as follows: 31,236 changed to 32,836. Further amend said appropriation For department of labor by changing the figures for “Total for department of labor” as follows: 133,348 changed to 134,938; and by changing the figures for “Net appropriation” as follows: 90,848 changed to 92,448.

Amend the appropriation For personnel department: State funds, by changing the figures for “Other personal services: Permanent” as follows: 45,722 changed to 69,328; by changing the figures for “Other personal services: Other” as follows: 1,000 changed to 2,152; by changing the figures for “Total” personal services as follows: 66,027 changed to 90,785; by changing the figures for “Current expenses” as follows: 2,200 changed to 3,820; and by changing the figures for “Total” of said subsection as follows: 68,227 changed to 94,605. Further amend the appropriation For personnel department in the subsection for Federal funds, by changing the figures for “Travel” as follows: 740 changed to 1,740; by changing the figures for “Total” of said subsection as follows: 10,183 changed to 11,183; and by changing the figures for “Less estimated revenue” as follows: 10,183 changed to 11,183. Further amend the appropriation For personnel department, by changing the figures for “Total for personnel department” as follows: 68,227 changed to 94,605.

Amend the appropriation For resources and economic development: Office of the commissioner, by changing the figures for “Other personal services: Other” as follows: 7,000 changed to 9,500; by changing the figures for “Total” for personal services as follows: 211,999 changed to 214,499; by changing the

figures for "Total" of said subsection as follows: 267,499 changed to 269,999; and by changing the figures for "Net appropriation" as follows: 252,056 changed to 254,556. Further amend the appropriation For resources and economic development: Division of resources development, in the subsection Administration, by changing the figures for "Other personal services: Other" as follows: 31,186 changed to 37,186\*; by changing the figures for "Total" for personal services as follows: 269,914 changed to 275,914; by changing the figures for "Total" of said subsection as follows: 354,937 changed to 360,937; by changing the figures for "Net appropriation" as follows: 237,267 changed to 243,267; and by inserting after said subsection the following footnote: \*In this appropriation \$20,000 shall be for the state's share for ten county foresters. Further amend the appropriation for Division of resources development, in the subsection Caroline A. Fox research fund, by changing the figures for "Personal services: Other" as follows: 6,650 changed to 10,150; by changing the figures for "Total" personal services as follows: 10,380 changed to 13,880; by changing the figures for "Total" of said subsection as follows: 15,770 changed to 19,270; and by changing the figures for Less revenue and balance as follows: 15,770 changed to 19,270. Further amend the appropriation for Division of resources development by changing the figures for "Total for division of resources development" by changing the figures as follows: 237,267 changed to 243,267. Further amend the appropriation For resources and economic development: Division of economic development, in the subsection Administration, by inserting after the words and figures "Eastern states exposition 8,000" the following words and figures: Boston office 15,000; by changing the figures for "Total" of said subsection as follows: 529,047 changed to 544,047; and by changing the figures for "Net appropriation" as follows: 525,850 changed to 540,850. Further amend the appropriation for Division of economic development, by changing the figures for "Total for division of economic development" as follows: 527,850 changed to 542,850. Further amend the appropriation For resources and economic development: Water resources board, by striking out said subsection and inserting in place thereof the following:

Water resources board:

Salary of chairman

\$10,481

Other personal services:	
Permanent	45,869
Other	400
	<hr/>
Total	\$56,750
Current expenses	2,700
Travel	4,500
Equipment	95
Other expenditures:	
Maintenance of dams	3,000
Dams in disrepair†	10,000
Stream flow gauging	24,200
Connecticut river valley flood control commission:	
Per diems and expenses of commission	600
State's contribution to commission	1,250
Merrimack valley flood control commission:	
per diems and expenses of commission	1,000
State's contribution to commission	4,000
Survey and investigation re ground water resources	10,500
Taxation re Pittsburg and Clarke- ville, as provided by RSA 481:14 (Supplement)	12,500
	<hr/>
Total for water resources board	\$131,095
Less transfer from public works and highways	6,000
Less transfer from Winnepesaukee project	5,396
Less transfer from Pittsburg project	11,181
Less estimated revenue	1,835
	<hr/>
Net appropriation	\$106,683

†Expenditure of these funds shall be subject to approval of the governor and council.

Further amend said appropriation For resources and economic development, by changing the figures for "Total for department of resources and economic development" as follows: 1,140,440 changed to 1,171,840.

Amend the appropriation For Hampton beach parking facility, by changing the figures for "Current expenses" as follows: 11,980 changed to 12,730; by changing the figures for "Total" of said appropriation as follows: 99,193 changed to 99,943; and by changing the figures for "Net appropriation" as follows: 73,193 changed to 73,943.

Amend the appropriation For department of safety: Division of motor vehicles; in the subsection Administration, by changing the figure for "Current expenses" as follows: 211,803 changed to 220,803; by changing the figures for "Total" of said subsection as follows: 455,536 changed to 464,536. Further amend the appropriation for the Division of motor vehicles, by changing the figures for "Total for division of motor vehicles" as follows: 518,470 changed to 527,470; and by changing the figures for "Less transfer from highway fund" as follows: 518,470 changed to 527,470. Further amend the appropriation For the department of safety: Initial plate fund, by striking out the same and inserting in place thereof the following:

Initial plate fund:†

Personal services:

Permanent	\$3,081
Current expenses	9,000
Equipment	250

Other expenditures:

Driver assistance	46,860
Police training school	4,000

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Total	\$63,191
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Less estimated revenue and balance	63,191
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Net appropriation

0

†Other provisions of law notwithstanding, all expenditures from the initial plate fund shall be subject to budgetary limita-

tions, and any balance in this fund at July 1, 1963 and at June 30, 1964 shall lapse to the highway fund.

Further amend the appropriation For the department of safety: Division of state police, in the subsection Detective bureau, by changing the figures for "Personal services: Permanent" as follows: 75,175 changed to 78,075; by changing the figures for "Total" of said subsection as follows: 118,547 changed to 121,447; and by changing the figures for "Net appropriation" of said subsection as follows: 116,147 changed to 119,047. Further amend the appropriation For department of safety: Division of state police, in the subsection Communications, by striking out said subsection and inserting in place thereof the following:

Communications:

Personal services:

Permanent	\$43,363
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Current expenses	17,650
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Travel	7,200
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Equipment	4,000
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Other expenditures:

Retirement	2,320
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Total	\$74,533
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Less transfer from highway fund	63,353
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Net appropriation	\$11,180
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Further amend said appropriation For department of safety: Division of state police, by changing the figures for "Total for state police" as follows: 116,147 changed to 130,227. Further amend the appropriation For department of safety, by changing the figures for "Total for department of safety" as follows: 361,524 changed to 375,604.

Amend the appropriation For secretary of state, in the subsection Office of secretary, by inserting after "Other expenditures: Furnishing and equipment for office 8,000" the words and figures: Preservation of records 500; and by changing the figures for "Total" of said subsection as follows: 71,777 changed to 72,277. Further amend said appropriation by changing the figures for "Total for secretary of state" as follows: 108,579 changed to 109,079.

Amend the appropriation For board of registration of professional engineers, by changing the figures for "Current expenses" as follows: 1,350 changed to 1,550; by changing the figures for "Total" of said appropriation as follows: 4,320 changed to 4,520; and by changing the figures for "Less revenue and balance" as follows: 4,320 changed to 4,520.

Amend the appropriation For state library, in the subsection Administration, by changing the figures for "Current expenses" as follows: 13,300 changed to 12,300; and by changing the figures for "Total" of said subsection as follows: 191,958 changed to 190,958. Further amend said appropriation by changing the figures for "Total for state library" as follows: 220,308 changed to 219,308.

Amend the appropriation For state prison, in the subsection Agriculture, by changing the figures "Equipment" as follows: 4,300 changed to 4,800; by changing the figures for "Total" of said subsection as follows: 41,898 changed to 42,398; and by changing the figures for "Net reduction" as follows: —3,102 changed to —2,602. Further amend the appropriation For state prison, in the subsection Prison industries, by changing the figures for "Current expenses" as follows: 165,020 changed to 202,020; by changing the figures for "Total" of said subsection as follows: 253,289 changed to 290,289; by changing the figures for "Less estimated revenue and credits" as follows: 254,000 changed to 291,000; and by changing the figures in the footnote to said subsection as follows: 254,000 changed to 291,000. Further amend the appropriation For state prison by changing the figures for "Total for state prison" as follows: 455,381 changed to 455,881; and by changing the figures for "Net appropriation" as follows: 453,138 changed to 453,638.

Amend the appropriation For board of education, in the subsection Special aid to twenty school districts having lowest equalized valuation per pupil, by inserting after the words and figures "Dalton 2,876" the following words and figures: Danville 4,287. Further amend said subsection by striking out the words and figures "Lisbon — town 1,577"; by striking out the figures 100,000 for "Total" for said subsection and inserting in place thereof the following: 102,710‡; and by inserting at the end of said subsection the following footnote: ‡Payments authorized by this appropriation shall be made solely to the towns set forth herein. Further amend the appropriation For board



of education, in the subsection School building construction by changing the figures therefor as follows: 1,121,384 changed to 1,299,723. Further amend the appropriation For board of education, in the subsection for Education of deaf, by changing the figures for "Current expenses" as follows: 262,300 changed to 294,600; and by changing the figures for "Total" of said subsection as follows: 262,700 changed to 295,000. Further amend the appropriation For board of education: Plymouth teachers college, in the subsection Instruction, by changing the figures for "Personal services: Other" as follows: 52,000 changed to 61,800; by changing the figures for "Total" for personal services as follows: 471,142 changed to 480,942; and by changing the figures for "Total" for said subsection as follows: 576,073 changed to 585,873. Further amend the appropriation For board of education: Plymouth teachers college, by changing the figures for "Total for Plymouth teachers college" as follows: 998,582 changed to 1,008,382; by changing the figures for "Practice schools" under "Less estimated revenue" as follows: 73,200 changed to 83,000; by changing the figures for "Total" estimated revenue as follows: 703,075 changed to 712,875; and by changing the figures for net estimated revenue as follows: 660,818 changed to 670,618. Further amend the appropriation For board of education, by changing the figures for "Total for board of education" as follows: 6,173,956 changed to 6,387,305; and by changing the figures for "Net appropriation" as follows: 5,372,216 changed to 5,585,565.

Amend the appropriation For board of probation, by striking out the same and inserting in place thereof the following:

For board of probation:	
Salary of director	\$9,127
Other personal services:	
Permanent	190,526
Other	2,369
<hr/>	
Total	\$202,022
Current expenses	13,938
Travel	13,150
Equipment	5,500
<hr/>	
Total for probation	\$234,610

Less refund

5,554

Net appropriation

\$229,056

Amend the appropriation For aeronautics commission, in the subsection Administration, by changing the figures for "Other personal services: Permanent" as follows: 27,829 changed to 30,694; by changing the figures for "Total" personal services as follows: 36,341 changed to 39,206; by striking out the words and figures "Total for aeronautics commission 42,991" and inserting in place thereof the following word and figures: Total 45,856; by changing the figures for "Net appropriation" as follows: 34,702 changed to 37,567. Further amend the appropriation For aeronautics commission, by changing the figures for "Total for aeronautics commission" as follows: 34,702 changed to 37,567.

Amend the appropriation For bank commissioner, by changing the figures for "Oasi and retirement" as follows: 10,928 changed to 12,288; by changing the figures for "Total" as follows: 231,316 changed to 232,676; and by changing the figures for "Less revenue†" as follows: 219,124 changed to 220,484. Further amend said appropriation by striking out the words and figures of the first footnote hereto and inserting in place thereof the following words and figures: In this appropriation \$39,113 shall be for five bank examiners III. Any of these positions not filled prior to April 1, 1964 are hereby abolished and the funds appropriated for said positions shall not be used for any other purpose.

Amend the appropriation For public utilities commission: Office of commissioner, by changing the figures for "Other personal services: Other" as follows: 725 changed to 1,925; by changing the figures for "Total" personal services as follows: 140,627 changed to 141,827; by changing the figures for "Travel" as follows: 4,250 changed to 7,750; by changing the figures for "Total" for public service commission as follows: 169,934 changed to 174,634; and by changing the figures for "Net appropriation" as follows: 158,234 changed to 162,934.

Amend the appropriation For racing commission by striking out the same and inserting in place thereof the following:

## For racing commission:

## Thoroughbred racing:

Salaries of three commissioners \$7,236

## Other personal services:

Permanent 23,042

Other\* 31,000

Total	\$61,278
Current expenses	4,400
Travel	5,000
Equipment	950

Total	\$71,628
Less reimbursement	5,674

Net appropriation	\$65,954
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## Harness racing:

## Personal services:

Permanent \$10,531

Other\* 84,659

Total	\$95,190
Current expenses	3,978
Travel	11,306
Equipment	1,200

Total	\$111,674
Less reimbursement	10,674

Net appropriation	101,000
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Total for racing commission	\$166,954
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\*Such portion of this amount as constitutes the compensation of the official state steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet and such reimbursement shall include the employer's share of oasi taxes.

Amend the appropriation For public works and highways in the subsection Engineering by striking out said subsection and inserting in place thereof the following:

Engineering:‡	
Personal services:	
Permanent†	\$2,457,800
Other:	
Consultants	590,000
Temporary services	317,114
	<hr/>
Total	\$3,364,914
Current expenses	162,321
Travel	199,261
Equipment	10,600
	<hr/>
Total	\$3,737,096

‡Notwithstanding any other provision of law, no classified engineering position shall be downgraded.

†In this appropriation sufficient additional funds have been included to meet new federal requirements concerning the right of way division. Positions in this division included herein are 1 right of way engineer, 1 assistant right of way engineer, 1 office engineer, 2 engineers for attorney general, 1 relocation advisor, 1 abstractor III, 3 abstractors II, 1 abstractor I, 1 reviewing appraiser, 1 assistant reviewing appraiser, 2 appraiser III, 5 appraiser II, 1 appraiser I, 2 negotiators, 1 right of way agent III, 3 right of way agents II, 1 right of way agent I, 1 clerk-stenographer IV, 1 clerk-stenographer III, 3 clerk-stenographers II, 1 clerk-stenographer I, and 1 clerk-typist I. Further amend the appropriation For public works and highways in the subsection Legislative specials, by changing the figures for "Attorney general" as follows: 28,515 changed to 30,515; by changing the figures for "Safety department" as follows: 1,666,565 changed to 1,738,918; and by changing the figures for "Total" for said subsection as follows: 2,467,358 changed to 2,478,358. Further amend said appropriation For public works and highways, by changing the figures for "Total for public works and highways" as follows: 46,427,107 changed to 46,540,460; by changing the figures for "Balance of available funds" under "Less estimated revenue and balance" as follows: 1,065,107 changed to 1,115,107; and by changing the figures for "Total" for "Less estimated revenue and balance" as follows: 46,427,107 changed to 46,540,460.

Amend section 1 of the bill by changing the figures at the end of the section for "Total net appropriation for the fiscal year ending June 30, 1964" as follows: 31,720,189 changed to 32,055,938.

Amend section 10 of the bill by striking out said section and inserting the following new sections after section 9.

10 Sweepstakes Expense. There is hereby appropriated for the fiscal year ending June 30, 1964, the sum of two hundred fifty thousand dollars for the expenses of the state sweepstakes commission as established under chapter 52, laws of 1963, as inserted in RSA 284:21-a. Notwithstanding any other provision of law, no expenditure shall be made from this appropriation without prior approval by the governor and council.

11 Short Term Notes. To provide funds for the appropriation made in section 10 and in anticipation of the collection of revenue under the provisions of chapter 52, laws of 1963, the state treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term notes, provided, however, that at no time shall the indebtedness of the state on such short term notes exceed the sum of two hundred fifty thousand dollars.

12 Payments. Payment of the notes issued under section 11 shall be made, when due, from the general funds of the state.

13 Reimbursement. The general funds of the state shall be reimbursed for all expenditures made from the appropriation provided in section 10. Such reimbursement shall be made from the special fund, established by chapter 52, laws of 1963, as inserted in RSA 284:21-j from proceeds of the first sweepstakes race conducted by the state sweepstakes commission.

14 Interim Employment. In addition to any sum hereinabove appropriated for the office of the secretary of state there is hereby appropriated \$5,980.00 for the employment of Benjamin F. Greer, clerk of the senate, during the period from July 1, 1963 to June 30, 1964 at the rate of \$230.00 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

15 Takes Effect. This act shall take effect as of July 1, 1963.

### Recess

### After Recess

The question now being on the committee amendments.

Mr. Clement of Rochester spoke in favor of the amendments.

Mr. Clement yielded the floor to Mr. Goode of Manchester to answer questions of Mr. Newell of Concord.

Mr. Goode yielded the floor back to Mr. Clement.

(discussion ensued)

Mr. Claflin of Wolfeboro offered the following amendment:

Amend the committee amendment to the appropriation for the department of safety: Initial plate fund, by striking out the same and inserting in place thereof the following:

Initial plate fund: ‡

Personal services:

Permanent	\$3,081
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Current expenses	9,000
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Equipment	250
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Other expenditures:

Driver assistance	46,860
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Total	\$59,191
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Less estimated revenue and balance	59,191
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Net appropriation	0
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‡ Other provisions of law notwithstanding, all expenditures from the initial plate fund shall be subject to budgetary limitations, and any balance in this fund at July 1, 1963 and at June 30, 1964 shall lapse to the highway fund.

Further amend the bill by inserting after section 14, as inserted by the committee amendment, the following new section:

15 Police training school. In addition to any sum appropriated for the division of state police, \$4,000. is hereby appro-

priated solely for a police training school to be conducted and paid for during the fiscal year ending June 30, 1964. The sum hereby appropriated shall be a charge upon the general fund.

Further amend the bill by renumbering section 15 to read section 16.

\* \* \*

The Clerk read the amendment in full.

Mr. Claflin explained the amendment.

Mr. Goode of Manchester spoke against the amendment.

(discussion ensued)

Mr. Clement of Rochester spoke against the amendment.

Mr. Newell of Concord spoke in favor of the amendment.

(discussion ensued)

The amendment was not adopted.

The question now being on the committee amendments.

The amendments were adopted.

Mr. Shepard of Londonderry offered the following amendment.

#### **Amendment to HB 545**

Amend section 1 of the bill in the appropriation for Public Works and Highways as amended, in the subsection for Legislative specials, by changing the figures for "Total" for said subsection as follows: 2,478,358 changed to 2,541,711.

\* \* \*

The Clerk read the amendment in full.

Mr. Shepard of Londonderry explained the amendment.

The amendment was adopted.

At the request of Mr. Newell of Concord, Mr. Clement of Rochester answered questions.

Mr. Newell of Concord offered the following amendment:

**Amendment to HB 545**

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9 Members of the General Court on Official Business. Amend RSA 14 by inserting after section 16-a (supp), as inserted by 1955, 156:1, the following new section: 14:16-b Travel and Other Expenses. A member of the general court, when engaged in official business on behalf of the legislature elsewhere than Concord, whether the legislature be then in session or not, shall be reimbursed for travel and necessary expense incident to such business at the same rates as would be allowed a state employee having his headquarters in the town of residence of such member. In the case of a senator, such reimbursement shall be made only if prior approval for such expenditure shall have been granted by the president and chairman of the senate committee on finance and, in the case of a representative, such reimbursement shall be made only if prior approval for such expenditure shall have been granted by the speaker and the chairman of the house committee on appropriations. "Official business on behalf of the legislature", as used herein, shall mean only that activity for which a specific appropriation shall have been made to carry out a purpose authorized by an act of the legislature. In the event of a vacancy in the office of president of the senate or of the speaker of the house during recess of the legislature, the chairman of the senate committee on finance or the chairman of the house committee on appropriations, respectively, shall have and exercise the authority conferred upon the president and the speaker when acting jointly with said chairman as provided in this section.

\* \* \*

The Clerk read the amendment in full.

Mr. Newell of Concord spoke in favor of the amendment.

(discussion ensued)

Messrs. Clement of Rochester, Pickett of Keene and Kearns of Manchester spoke against the amendment.

The amendment was not adopted.

Mr. Stafford of Laconia offered the following amendment:



**Amendment to HB 545**

Amend said bill as amended by inserting after section 9 the following new section.

10 **Liquor Revenue.** The liquor commission is hereby directed to increase the revenue of said department by not less than \$900,000, such increased revenue to be paid into the general funds.

Further amend said bill by renumbering section 10 to read section 11.

\* \* \*

Mr. Stafford of Laconia spoke in favor of the amendment but subsequently withdrew his amendment.

The question now being shall the bill be read a third time.

The bill was ordered to a third reading.

HB 546, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965, Mr. Clement of Rochester for Appropriations. Ought to pass with amendments.

**Amendment to HB 546**

Amend section 1 of the bill as follows:

Amend the bill in the paragraph for the legislative branch by inserting at the end of the second footnote relating to the office of legislative budget assistant the following sentence: The legislative budget assistant shall, when overtime or temporary assistance is necessary, obtain such assistance and determine the compensation therefor.

Amend the appropriation For executive branch, in the subsection Executive council by striking out the same and inserting in place thereof the following:

Executive council:

Personal services:

Other — per diem	\$15,500
Secretary to governor's council	3,000

Total	\$18,500
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Current expenses	2,300
Travel	5,000

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Total for executive council	\$25,800
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Further amend the appropriation For executive branch, by changing the figures for "Total for executive branch" as follows: 204,797 changed to 205,797.

Amend the appropriation For adjutant general's department in the subsection State military reservation, Grenier air force base, Manchester, by changing the figures for "Current expenses" as follows: 26,000 changed to 36,000; and by changing the figures for "Total" of said subsection as follows: 37,669 changed to 47,669. Further amend said appropriation For adjutant general's department, by changing the figures for "Total for adjutant general's department" as follows: 379,679 changed to 389,679; and by changing the figures for "Net appropriation" as follows: 309,277 changed to 319,277.

Amend the appropriation For agriculture, in the subsection Bureau of weights and measures, by striking out the same and inserting in place thereof the following:

Bureau of weights and measures:

Personal services:

Permanent	\$33,137
Current expenses	3,010
Travel	4,375
Equipment	50

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Total	\$40,572
Less estimated revenue	15,000

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Net appropriation	\$25,572
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Further amend said appropriation For agriculture, by changing the figures for "Total for department of agriculture" as follows: 332,636 changed to 334,819; and by changing the figures for "Net appropriation" as follows: 324,886 changed to 327,069.

Amend the bill in the paragraph For attorney general: Division of charitable trusts, by striking out said subsection and inserting in place thereof the following:

Division of charitable trusts:

Salary of director	\$5,465
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Other personal services:		
Permanent	5,227	
Other	400	
	<hr/>	
Total	\$11,092	
Current expenses	500	
Travel	300	
Equipment	200	
	<hr/>	
Total		\$12,092

Further amend said appropriation For attorney general, by changing the figures for "Total for attorney general" as follows: 109,187 changed to 109,787.

Amend the bill in the appropriation For department of health and welfare: Division of public health services: Health, in the subsection Administration: state, by striking out said subsection and inserting in place thereof the following:

Administration: state		
Salary of director of public health services	\$15,575	
Other personal services:		
Permanent	35,263	
Other	1,580	
	<hr/>	
Total	\$52,418	
Current expenses	12,000	
Travel	800	
	<hr/>	
Total	\$65,218	
Less credit transfers	6,300	
	<hr/>	
Net appropriation		\$58,918

Further amend the appropriation For department of health and welfare: Division of public health services: Health, in the subsection Vital statistics: state, by striking out the word "Total" of said subsection and inserting in place thereof the following: Total<sup>‡</sup>. Further amend said subsection by inserting at the end thereof the following footnote: <sup>‡</sup>Any revenue received in addition to this appropriation shall be available for expenditure for said purposes. Further amend the appropriation For department of health and welfare: Division of public health

services: Health, in the subsection Sanitary engineering: state, by changing the figures for "Travel" as follows: 5,650 changed to 7,500; and by changing the figures for "Total" for said subsection as follows: 78,781 changed to 80,631. Further amend said appropriation For department of health and welfare: Division of public health services: Health, by changing the figures for "Total for health" as follows: 842,642 changed to 844,492; and by changing the figures for "Total for division of public health services" as follows: 1,509,410 changed to 1,511,260. Further amend the appropriation For department of health and welfare: Division of welfare, in the subsection Administration, by changing the figures for "Other personal services: Permanent" as follows: 206,933 changed to 205,912; by changing the figures for "Total" personal services as follows: 228,873 changed to 227,852; by changing the figures for "Total" of said subsection as follows: 347,667 changed to 346,646; and by striking out the footnote; at the end of said subsection and inserting in place thereof the following footnote: This appropriation includes \$3,000 to be paid to the department of attorney general for legal services and also included herein is a position of clerk-stenographer IV. Further amend the appropriation For department of health and welfare: Division of welfare, in the subsection Child welfare services: State funds, by striking out the words "State funds" and by inserting after said subsection the following new subsection:

Child welfare services:

Federal funds:

Personal services:

Other	\$7,465
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Other expenditures:

Educational leave	9,200
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Total†	\$16,665
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Less estimated federal funds†	16,665
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Net appropriation

0

†Expenditures in this appropriation shall be entirely from federal funds and shall be limited to the amount of the federal grant available for this purpose.

Further amend the appropriation for Division of welfare, by changing the figures for "Total for division of welfare" as fol-

lows: 3,475,082 changed to 3,474,061; and by changing the figures for "Net appropriation" as follows: 3,092,372 changed to 3,091,351. Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school, in the subsection Professional care and treatment, by changing the figures for "Personal services: Other" as follows: 8,800 changed to 11,300; by changing the figures for "Total" personal services as follows: 786,676 changed to 789,176; by changing the figures for "Total" of said subsection as follows: 811,556 changed to 814,056; by changing the figures for "Total for Laconia state school" as follows: 1,747,261 changed to 1,749,761; and by changing the figures for "Net appropriation" as follows: 1,734,261 changed to 1,736,761. Further amend the appropriation For department of health and welfare: Division of mental health: State hospital, in the subsection Administration, by changing the figures for "Other personal services: Permanent" as follows: 125,341 changed to 111,615; by changing the figures for "Total" for personal services as follows: 153,132 changed to 139,406; and by changing the figures for "Total" of said subsection as follows: 199,342 changed 185,616. Further amend the appropriation for State hospital, in the subsection Professional care and treatment, by striking out the words "Salary of director of psychiatric education and research" and inserting in place thereof the following: Salary of director of psychiatric education and research<sup>‡</sup>. Further amend said subsection by inserting at the end thereof the following footnote: <sup>‡</sup>The appropriation for the state hospital includes funds for maintenance for certain positions, one of which is the director of psychiatric education and research. In lieu of maintenance, notwithstanding any other provisions of law, the sum of \$2,500 shall be paid to said director, G. Donald Niswander, from any funds appropriated for current expenses within said appropriation for the state hospital. Further amend the appropriation For state hospital, by changing the figures for "Total for state hospital" as follows: 5,252,681 changed to 5,238,955; and by changing the figures for "Net appropriation" as follows: 5,199,681 changed to 5,185,955. Further amend the appropriation For department of health and welfare: Division of mental health: Child guidance clinics, in the subsection Federal funds, by striking out said subsection and inserting in place thereof the following:

## Federal funds:

## Personal services:

Permanent	\$31,153
Other	4,500

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Total	\$35,653
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Current expenses	1,051
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Travel	1,000
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Equipment	350
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## Other expenditures:

Merit system	250
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Retirement and oasi	1,200
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Grants to communities	9,696‡
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Consultants	15,800
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Total*	\$65,000
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Less estimated federal funds*	65,000
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Net appropriation

0

‡If eligible communities fail to qualify for grants under this appropriation, said appropriation may be spent for other purposes of the Child guidance clinics with governor and council approval.

Further amend the appropriation For department of health and welfare: Division of mental health, by changing the figures for "Total for division of mental health" as follows: 7,106,069 changed to 7,094,843. Further amend the appropriation For department of health and welfare, by changing the figures for "Total for department of health and welfare" as follows: 11,734,887 changed to 11,724,490.

Amend the appropriation For barbers' board by changing the figures for Other expenditures: "Transfer to division of public health services for salary of clerk IV and temporary clerk typist I" as follows: 2,000 changed to 2,151; and by changing the figures for "Total" for said appropriation as follows: 5,050 changed to 5,201.

Amend the appropriation For cancer commission: State funds, by changing the figures for "Personal services: Other" as follows: 25,000 changed to 26,250; by changing the figures for "Total" personal services as follows: 35,262 changed to

36,512; and by changing the figures for "Total" of said subsection as follows: 178,937 changed to 180,187. Further amend the appropriation For cancer commission, by changing the figures for "Total for cancer commission" as follows: 178,937 changed to 180,187; and by changing the figures for "Net appropriation" as follows: 146,937 changed to 148,187.

Amend the appropriation For board of registration of funeral directors and embalmers, by changing the figures for "Personal services: Other" as follows: 1,205 changed to 1,705, by changing the figures for "Travel" as follows: 1,198 changed to 1,800; by changing the figures for "Total as follows: 2,934 changed to 4,036; and by changing the figures for "Less revenue and balance" as follows: 2,934 changed to 4,036.

Amend the appropriation For hairdressers, by changing the figures for "Personal services: Other" as follows: 1,500 changed to 2,000; and by changing the figures for "Total" of said appropriation as follows: 9,519 changed to 10,019.

Amend the appropriation For board of registration in medicine, by changing the figures for "Personal services: Other" as follows: 1,040 changed to 1,520; and by changing the figures for "Total" of said appropriation as follows: 2,855 changed to 3,335.

Amend the appropriation For insurance department: Office of the commissioner, by changing the figures for "Travel" as follows: 800 changed to 1,300; and by changing the figures for "Total" as follows: 77,518 changed to 78,018. Further amend said appropriation in Rating division subsection by striking out said subsection and inserting in place thereof the following:

Rating division:

Personal services:

Permanent

\$14,639

Other: insurance actuary†

5,000

Total

\$19,639

Current expenses

1,325

Travel

300

Total

\$21,264

†The funds in this appropriation shall be for the employment of necessary actuarial services and no part thereof shall be transferred to any other appropriation or expended for any other purpose.

Further amend said appropriation in the subsection for Real estate division, by changing the figures for "Current expenses" as follows: 985 changed to 1,375; and by changing the figures for "Total" of said subsection as follows: 4,979 changed to 5,369. Further amend said appropriation by changing the figures for "Total for insurance department" as follows: 103,312 changed to 104,651; and by changing the figures for "Net appropriation" as follows: 100,812 changed to 102,151.

Amend the appropriation For personnel department: State funds, by changing the figures for "Other personal services: Permanent" as follows: 46,539 changed to 70,692; by changing the figures for "Other personal services: Other" as follows: 1,000 changed to 2,152; by changing the figures for "Total" personal services as follows: 66,851 changed to 92,156; and by changing the figures for "Total" of said subsection as follows: 68,892 changed to 94,197. Further amend the appropriation For personnel department, in the subsection for Federal funds, by changing the figures for "Travel" as follows: 740 changed to 1,740; by changing the figures for "Total" of said subsection as follows: 10,232 changed to 11,232; and by changing the figures for "Less estimated revenue" as follows: 10,232 changed to 11,232. Further amend the appropriation For personnel department, by changing the figures for "Total for personnel department" as follows: 68,892 changed to 94,197.

Amend the appropriation For resources and economic development: Office of the commissioner, by changing the figures for "Other personal services: Other" as follows: 7,000 changed to 9,500; by changing the figures for "Total" for personal services as follows: 213,672 changed to 216,172; by changing the figures for "Total" of said subsection as follows: 267,562 changed to 270,062; and by changing the figures for "Net appropriation" as follows: 252,119 changed to 254,619. Further amend the appropriation For resources and economic development: Division of resources development, in the subsection Administration, by changing the figures for "Other personal services: Other" as follows: 31,211 changed to 37,211\*; by changing the figures for "Total" for personal services as follows: 271,214



changed to 277,214; by changing the figures for "Total" of said subsection as follows: 356,322 changed to 362,322; by changing the figures for "Net appropriation" as follows: 242,029 changed to 248,029; and by inserting after said subsection the following footnote: \*In this appropriation \$20,000 shall be for the state's share for ten county foresters. Further amend the appropriation for Division of resources development by changing the figures for "Total for division of resources development" as follows: 242,029 changed to 248,029. Further amend the appropriation For resources and economic development: Division of economic development, in the subsection Administration, by inserting after the words and figures "Eastern states exposition 8,000" the following words and figures: Boston office 15,000; by changing the figures for "Total" of said subsection as follows: 532,372 changed to 547,372; and by changing the figures for "Net appropriation" as follows: 529,052 changed to 544,052. Further amend the appropriation for Division of economic development, by changing the figures for "Total for division of economic development" as follows: 531,052 changed to 546,052. Further amend the appropriation For resources and economic development: Water resources board, by striking out said subsection and inserting in place thereof the following:

Water resources board:	
Salary of chairman	\$10,504
Other personal services:	
Permanent	46,398
Other	400
Total	<hr/> \$57,302
Current expenses	2,700*
Travel	4,500
Other expenditures:	
Maintenance of dams	3,000
Dams in disrepair†	10,000
Stream flow gauging	24,200
Connecticut river valley flood control commission:	
Per diem and expenses of commission	600
State's contribution to commission	1,250

Merrimack valley flood control commission:	
Per diem and expenses of commission	1,000
State's contribution to commission	4,000
Survey and investigation re ground water resources	10,500
Taxation re Pittsburg and Clarks- ville, as provided by RSA 481:14 (supplement)	12,500
<hr/>	
Total for water resources board	\$131,552
Less transfer from public works and highways	6,000
Less transfer from Pittsburg project	11,181
Less transfer from Winni- pesaukee project	5,396
Less estimated revenue	1,835
<hr/>	
Net appropriation	\$107,140

\*In this appropriation \$500 shall be for printing of report and shall be used for no other purpose.

†Expenditure of these funds shall be subject to approval of the governor and council.

Further amend the appropriation For resources and economic development, by changing the figures for "Total for department of resources and economic development" as follows: 1,148,507 changed to 1,179,507.

Amend the appropriation For Hampton beach parking facility by changing the figures for Current expenses as follows: 11,980 changed to 12,730; by changing the figures for "Total" of said appropriation as follows: 99,843 changed to 100,593; and by changing the figures for "Net appropriation" as follows: 73,843 changed to 74,593.

Amend the appropriation For department of safety: Division of motor vehicles, in the subsection Administration, by changing the figures for Current expenses as follows: 216,803

changed to 225,803; by changing the figures for "Total" of said subsection as follows: 457,341 changed to 466,341. Further amend the appropriation for the Division of motor vehicles by changing the figures for "Total for division of motor vehicles" as follows: 516,753 changed to 525,753; and by changing the figures for "Less transfer from highway fund" as follows: 516,753 changed to 525,753. Further amend the appropriation For the department of safety: Initial plate fund, by striking out the same and inserting in place thereof the following:

Initial plate fund:†

Personal services:

Permanent	\$3,204
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Current expenses	9,000
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Other expenditures:

Driver assistance	52,250
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Police training school	4,000
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Total	\$68,454
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Less estimated revenue and balance	68,454
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Net appropriation

0

†Other provisions of law notwithstanding, all expenditures from the initial plate fund shall be subject to budgetary limitations, and any balance in this fund at June 30, 1965 shall lapse to the highway fund.

Further amend the appropriation For the department of safety: Division of state police, in the subsection Detective bureau, by changing the figures for "Personal services: Permanent" as follows: 75,333 changed to 78,233; by changing the figures for "Total" of said subsection as follows: 113,910 changed to 116,810; and by changing the figures for "Net appropriation" of said subsection as follows: 111,510 changed to 114,410. Further amend the appropriation For the department of safety: Division of state police, in the subsection Communications, by striking out said subsection and inserting in place thereof the following:

Communications:

Personal services:

Permanent	\$43,809
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Current expenses	17,650	
Travel	7,200	
Equipment	4,000	
Other expenditures:		
Retirement	2,335	
		<hr/>
Total	\$74,994	
Less transfer from		
highway fund	63,745	
		<hr/>
Net appropriations		\$11,249

Further amend said appropriation For department of safety: Division of state police, by changing the figures for "Total for state police" as follows: 111,510 changed to 114,410. Further amend the appropriation For department of safety, by changing the figures for "Total for department of safety" as follows: 352,420 changed to 366,569.

Amend the appropriation For secretary of state, in the subsection Office of secretary, by inserting after the word and figures "Equipment 400" the following words and figures: Other expenditures: Preservation of records 500; and by changing the figures for "Total" of said subsection as follows: 64,731 changed to 65,231. Further amend said appropriation by changing the figures for "Total for secretary of state" as follows: 126,274 changed to 126,774.

Amend the appropriation For board of registration of professional engineers, by changing the figures for "Current expenses" as follows: 1,350 changed to 1,550; by changing the figures for "Travel" as follows: 400 changed to 800; by changing the figures for "Total" of appropriation as follows: 4,320 changed to 4,920; and by changing the figures for "Less revenue and balance" as follows: 4,320 changed to 4,920.

Amend the appropriation For state library, in the subsection Administration, by changing the figures for "Current expenses" as follows: 13,300 changed to 12,300; and by changing the figures for "Total" of said subsection as follows: 195,190 changed to 194,190. Further amend said appropriation by changing the figures for "Total for state library" as follows: 221,215 changed to 220,215.

Amend the appropriation For state prison, in the subsection Custodial care, by changing the figures for "Current expenses" as follows: 92,000 changed to 95,500; and by changing the figures for "Total" of said subsection as follows: 352,557 changed to 356,057. Further amend the appropriation in the subsection Prison industries, by changing the figures for "Current expenses" as follows: 165,020 changed to 202,020, and by changing the figures for "Total" of said subsection as follows: 253,717 changed to 290,717; by changing the figures for "Less estimated revenue and credits" as follows: 259,000 changed to 296,000; and by changing the figures in the footnote to said subsection as follows: 259,000 changed to 296,000. Further amend the appropriation For state prison by changing the figures for "Total for state prison" as follows: 454,559 changed to 458,059; and by changing the figures for "Net appropriation" as follows: 452,316 changed to 455,816.

Amend the appropriation For board of education, in the subsection Special aid to twenty school districts having lowest equalized valuation per pupil, by inserting after the words and figures "Dalton 2,876" the following words and figures: Danville 4,287. Further amend said subsection by striking out the words and figures "Lisbon-town 1,577"; by striking out the figures 100,000 for "Total" for said subsection and inserting in place thereof the following: 102,710<sup>‡</sup>; and by inserting at the end of said subsection the following footnote: <sup>‡</sup>Payments authorized by this appropriation shall be made solely to the towns set forth herein. Further amend the appropriation For board of education, in the subsection Education of deaf, by changing the figures for "Current expenses" as follows: 262,700 changed to 294,600; and by changing the figures for "Total" of said subsection as follows: 263,100 changed to 295,000. Further amend the appropriation For board of education: Plymouth teachers college, in the subsection Instruction, by changing the figures for "Personal services: Other" as follows: 52,000 changed to 61,800; by changing the figures for "Total" for personal services as follows: 496,612 changed to 506,412; and by changing the figures for "Total" for said subsection as follows: 583,592 changed to 593,392. Further amend said appropriation For board of education: Plymouth teachers college, by changing the figures for "Total for Plymouth teachers college" as follows: 1,054,492 changed to 1,064,292; by changing the figures for "Practice schools" under "Less estimated reve-

nue" as follows: 76,200 changed to 86,000; by changing the figures for "Total" estimated revenue as follows: 843,500 changed to 853,300; and by changing the figures for net estimated revenue as follows: 733,806 changed to 743,606. Further amend the appropriation For board of education, by changing the figures for "Total for board of education" as follows: 6,287,-389 changed to 6,321,999; by changing the figures for "Less estimated revenue" as follows: 839,682 changed to 582,626; and by changing the figures for "Net appropriation" as follows: 5,447,707 changed to 5,739,373.

Amend the appropriation For board of probation, by striking out the same and inserting in place thereof the following:

For board of probation:

Salary of director	\$9,361	
Other personal services:		
Permanent	192,215	
Other	2,369	
	<hr/>	
Total	\$203,945	
Current expenses	14,338	
Travel	13,150	
Equipment	920	
	<hr/>	
Total for probation	\$232,353	
Less refund	5,793	
	<hr/>	
Net appropriation		\$226,560
		<hr/>

Amend the appropriation For aeronautics commission, in the subsection Administration, by changing the figures for "Other personal services: Permanent" as follows: 28,439 changed to 31,357; by changing the figures for "Total" personal services as follows: 37,164 changed to 40,082; by striking the words and figures "Total for aeronautics commission 43,814" and inserting in place thereof the following word and figures: Total 46,732; by changing the figures for "Net appropriation" as follows: 35,425 changed to 38,343. Further amend the appropriation For aeronautics commission, by changing the figures for "Total for aeronautics commission" as follows: 35,425 changed to 38,343.

Amend the appropriation For bank commissioner, by changing the figures for "Current expenses" as follows: 14,675 changed to 21,890; by changing the figures for "Oasi and retirement" as follows: 11,157 changed to 12,517; by changing the figures for "Total" as follows: 230,376 changed to 238,951; and by changing the figures for "Less revenue<sup>†</sup>" as follows: 218,184 changed to 226,759. Further amend said appropriation by striking out the words and figures of the first footnote and inserting in place thereof the following words and figures: In this appropriation \$40,345 shall be for five bank examiners III, provided these positions were filled prior to April 1, 1964. Any of these positions which were not so filled are abolished and the funds appropriated for said positions shall not be used for any other purpose.

Amend the appropriation For public utilities commission: Office of commission, by changing the figures for "Other personal services: Other" as follows: 725 changed to 1,925 by changing the figures for "Total" personal services as follows: 141,466 changed to 142,666; by changing the figures for "Travel" as follows: 4,250 changed to 6,750; by changing the figures for "Total" for public service commission as follows: 169,547 changed to 173,247; and by changing the figures for "Net appropriation" as follows: 157,847 changed to 161,547.

Amend the appropriation For racing commission, by striking out the same and inserting in place thereof the following:

For racing commission:

Thoroughbred racing:

Salaries of three commissioners	\$7,236
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Other personal services:

Permanent	23,393
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Other*	31,000
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Total	\$61,629
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Current expenses	4,400
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Travel	5,000
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Equipment	345
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Total	\$71,374
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Less reimbursement	5,674
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Net appropriation	\$65,700
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## Harness racing:

## Personal services:

Permanent	\$10,777
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Other*	84,659
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Total	\$95,436
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Current expenses	3,078
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Travel	11,306
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Equipment	290
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Total	\$110,110
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Less reimbursement	10,674
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Net appropriation	99,436
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Total for racing commission	165,136
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\*Such portion of this amount as constitutes the compensation of the official state steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet and such reimbursement shall include the employer's share of oasi taxes.

Amend the appropriation For public works and highways in the subsection Engineering, by striking out said subsection and inserting in place thereof the following:

## Engineering:‡

## Personal services:

Permanent‡	\$2,474,245
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## Other:

Consultants	590,000
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Temporary services	317,129
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Total	\$3,381,374
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Current expenses	166,400
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Travel	209,261
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Equipment	7,800
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Total	\$3,764,835
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‡Notwithstanding any other provision of law, no classified engineering position shall be downgraded.



†In this appropriation sufficient additional funds have been included to meet new federal requirements concerning the right of way division. Positions in this division included herein are 1 right of way engineer, 1 assistant right of way engineer, 1 office engineer, 2 engineers for attorney general, 1 relocation advisor, 1 abstractor III, 3 abstractors II, 1 abstractor I, 1 reviewing appraiser, 1 assistant reviewing appraiser, 2 appraisers III, 5 appraisers II, 1 appraiser I, 2 negotiators, 1 right of way agent III, 3 right of way agents II, 1 right of way agent I, 1 clerk-stenographer IV, 1 clerk-stenographer III, 3 clerk-stenographers II, 1 clerk-stenographer I, and 1 clerk-typist I. Further amend the appropriation For public works and highways in the subsection Legislative specials, by changing the figures for "Attorney general" as follows: 28,515 changed to 30,515; by changing the figures for "Safety department" as follows: 1,661,956 changed to 1,682,205; and by changing the figures for "Total" for said subsection as follows: 2,467,541 changed to 2,489,790. Further amend said appropriation For public works and highways, by changing the figures for "Total for public works and highways" as follows: 47,351,722 changed to 47,414,971; by changing the figures for "Available from estimated lapses" under "Less estimated revenue and balance" as follows: 867,922 changed to 931,171; and by changing the figures for "Total" for "Less estimated revenue and balance" as follows: 47,351,722 changed to 47,414,971.

Amend section 1 of the bill by changing the figures at the end of the section for "Total net appropriation for the fiscal year ending June 30, 1965" as follows: 32,321,000 changed to 32,727,700.

Amend section 8 of the bill by striking out said section and inserting the following new sections after section 7.

8 Interim Employment. In addition to any sum hereinabove appropriated for the office of the secretary of state there is hereby appropriated \$2,990.00 for the employment of Benjamin F. Greer, clerk of the senate, during the period from July 1, 1964 to December 31, 1964 at the rate of \$230.00 bi-weekly. The services of said Benjamin F. Greer shall be available to interim legislative committees and to the secretary of state's department. The sum hereby appropriated shall be a charge on the legislative appropriation.

9 Takes Effect. This act shall take effect July 1, 1964.

\* \* \*

The amendments were adopted.

Mr. Shepard of Londonderry offered the following amendment and moved its adoption.

#### **Amendment to HB 546**

Amend section 1 of the bill in the appropriation For Public Works and Highways as amended, in the subsection for Legislative specials, by changing the figures for Safety department as follows: 1,682,205 changed to 1,734,701; and by changing the figures for "Total" of said subsection as follows: 2,489,790 changed to 2,542,286. Further amend said appropriation by changing the figures for "Total for public works and highways" as follows: 47,414,971 changed to 47,467,467; by changing the figures for "Available from estimated lapses" under "less estimated revenue and balance" as follows: 931,171 changed to 983,667; and by changing the "Total" for "Less estimated revenue and balance" as follows: 47,414,971 changed to 47,467,467.

\* \* \*

The Clerk read the amendment in full.

The amendment was adopted.

Nr. Newell of Concord offered the following amendment:

#### **Amendment to HB 546**

Amend said bill by inserting after section 8, as inserted by the committee amendment, the following new section:

9 Legislative Services. To carry out the provisions of RSA 14:36 and 37 there is hereby appropriated the sum of twelve thousand dollars to be expended by the attorney general. The funds hereby appropriated shall be expended only for legislative service and shall not be transferred to any other appropriation. The sum hereby appropriated shall be a charge upon the funds appropriated for the legislature.

Further amend said bill by renumbering section 9 to read section 10.

\* \* \*

The Clerk read the amendment in full.

Mr. Newell of Concord spoke in favor of the amendment.

Mr. Clement of Rochester spoke against the amendment.

The amendment was not adopted.

The bill was ordered to a third reading.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Bill No. 222, relative to reporting certain shortages of funds, having considered the same, report the same with the recommendation that the senate recede from its position in adopting its amendment, that the house recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend section 384:36 as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following: 384:36 Report of Shortages to Bank Commissioner. Every shortage in funds of five hundred dollars or more in any banking or lending institution under the supervision of the bank commissioner, shall, within three banking days following day of discovery, be reported in writing to the bank commissioner by the treasurer of the institution in or with respect to which any such shortage occurs, or in the absence of said officer by the officer performing his duties.

Samuel Reddy

Henry L. Stevens

Edward J. Walsh

Conferees on the Part of the House

Nelle L. Holmes

Louis N. Paquette

Conferees on the Part of the Senate

The report was adopted.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 131, An act relating to the prevention of fires by railroad locomotives.

HB 279, An act relative to the penalty for escape from houses of correction.

HB 346, An act relative to the authority of police employees.

HB 401, An act relative to training of fire fighters.

HB 421, An act relative to fees for motor vehicles under motor vehicle junk licenses.

HB 442, An act relating to the sale of state land at Intervale Ski Area.

SB 48, An act relating to probate courts.

SB 80 An act relative to a five day week for the city of Manchester police department.

HJR 37, Joint resolution in favor of the estate of James A. Purington.

HJR 38, Joint resolution in favor of the estate of Leon J. Littlefield.

Mrs. Potter of Northumberland  
Mrs. Forbes of Marlow

### Senate Messages

The President has appointed as members of the Committee of Conference on HB 290, An act relative to the retirement age for state employees under the state employees' retirement system: on the part of the Senate: Senator DeLude and Senator Battles.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 119, providing for representative to the general court from the town of Sugar Hill.

SB 123, legalizing the organization meeting of the New-found area school district.

SB 124, legalizing certain action at an adjourned town meeting in Francetown.

### Introduction of Senate Bills

The following Senate bills were read a first and second time and referred as follows:

SB 119, providing for representative to the General Court from the town of Sugar Hill, to Judiciary.

SB 123, legalizing the organization meeting of the New-found area school district, to Municipal and County Government.

SB 124, legalizing certain action at an adjourned town meeting in Francestown, to Education.

Mr. Plumer of Bristol moved that the Rules of the House be so far suspended as to dispense with the reference to committee and public hearing on SB 123 and spoke in favor of the motion.

The motion was adopted and the bill was ordered to a third reading.

Mr. Hill of Conway moved that the Rules of the House be so far suspended as to dispense with the reference to committee and public hearing on SB 124 and spoke in favor of the motion.

The motion was adopted and the bill was ordered to a third reading.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 307, relative to salary of the sheriff of Rockingham County.

HB 404, relative to salaries of mayor and councilmen of the city of Laconia.

HB 543, relative to submission to voters of Littleton of question on adoption of act providing for Littleton Parking District.

HB 535, eliminating the office of farm supervisor and providing for an additional assistant business supervisor.

HB 467, relative to use of band proceeds and temporary loans under municipal finance act.

HJR 13, in favor of Mount Washington Observatory.

HJR 32, providing for a deficiency appropriation for the division of buildings and grounds.

The Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

SB 80, An act relative to a five day week for the city of Manchester police department.

Mr. Eastman of Weare offered the following concurrent resolution:

### Concurrent Resolution

petitioning the Congress of the United States to call a Convention for proposing an amendment to the Constitution of the United States, unless Congress shall sooner have submitted such an amendment, to provide for the election of the President and Vice-President in a manner fair and just to the people of the United States.

*Whereas*, under the Constitution of the United States Presidential and Vice-Presidential electors in the several states are now elected on a statewide basis, each state being entitled to as many electors as it has senators and representatives in Congress; and

*Whereas*, the Presidential and Vice-Presidential electors who receive the plurality of the popular vote in a particular state become entitled to cast the total number of electoral votes allocated to that state irrespective of how many votes may have been cast for other elector candidates; and

*Whereas*, this method of electing the President and Vice-President is unfair and unjust in that it does not reflect the minority votes cast; and

*Whereas*, the need for a change has been recognized by members of Congress on numerous occasions through the introduction of various proposals for amending the Constitution; now, therefore, be it

*Resolved*, by the house of representatives, the senate concurring, that application is hereby made to Congress under Article V of the Constitution of the United States for the call-

ing of a Convention to propose an Article of Amendment to the Constitution providing for a fair and just division of the electoral votes within the states in the election of the President and Vice-President; and be it further

*Resolved*, That copies of this application be transmitted to the Senate and House of Representatives of the United States, and to our senators and representatives in Congress.

\* \* \*

The concurrent resolution was referred to Executive Departments and Administration.

### Communication

June 5, 1963

The Honorable Stuart Lamprey, Speaker  
House of Representatives  
Concord, N. H.

Dear Mr. Lamprey:

May I extend a cordial invitation to you and the members of the House to attend personally or through a delegation, the Pontifical Mass for the Dead to be sung for Pope John XXIII in St. Joseph Cathedral, Manchester, on Friday, June 7, at 10:00 A. M. We would be most pleased to have you participate in this ceremony.

With every good wish, I am

Sincerely in Christ,

Ernest J. Primeau  
Bishop of Manchester

The Chair appointed Mr. Conover of Manchester to head the Manchester Delegation to attend the Mass.

\* \* \*

The Chair announced that today is the birthday of Mr. Nash of Dixville.

\* \* \*

On motion of Mrs. Ainley of Manchester the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Pickett of Keene, the Rules of the House were so far suspended as to allow third reading of bills by title only, and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### Third Readings

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964, was read a third time, passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Clement of Rochester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 545, and spoke against the motion.

The motion was not adopted.

HB 546, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965, was read a third time, passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Clement of Rochester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 546 and spoke against the motion.

The motion was not adopted.

The following bills were read a third time, passed, and sent to the Senate for concurrence:

HB 385, relative to minimum wages.

HB 415, increasing the salary of the Belknap county treasurer.

HB 111, relating to the printing of proceedings of the county convention of Belknap county.

HB 584, relative to Belknap County Recreational Area.



### Reconsideration

Mr. Urie of New Hampton, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 584 and spoke against the motion.

The motion was not adopted.

\* \* \*

The following Senate bill was read a third time, passed, and sent to the Senate for concurrence:

SB 30, providing for the development and redevelopment of areas of vacant or predominantly vacant land which are substandard or blighted.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 123, legalizing the organization meeting of the New-found area school district.

SB 124, legalizing certain action at an adjourned town meeting in Francestown.

\* \* \*

On motion of Mr. Clement of Rochester the House adjourned at 3:14 P. M.

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TUESDAY, JUNE 11, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Bayard Hancock from Ashland, St. Mark's Episcopal Church:

Almighty God, our Heavenly Father, Who dost govern all things in heaven and earth; who hast created each of us in Thine own image and equipped us with varying combinations

of talents to be used in Thy service; and who hast given us so generously of those political and social freedoms essential to the proper developments of our several talents;

Bless, we beseech Thee, the members of this legislative body here assembled; Guide them, O Father, in all such matters as may come before them for debate this day, to the end that such actions as they may take may be acceptable in Thy sight and promote the general welfare of the people of this state.

The burdens which we have placed upon these, our elected representatives, are heavy and increasingly complex; they are such that none can discharge them properly without Thy continuing help; Do Thou, therefore, O Father, assist them to understand the true nature of the issues before them; guide them to distinguish between those issues on which they may properly champion the special interests of those who have elected them to office and those larger issues calling for the sacrifice of special interests to the general good.

Finally, O God, we ask Thy blessing upon the people of this state. Having elected these our representatives, help us to discharge faithfully our corporate responsibility to keep them informed of our needs and desires; to try always to understand their special problems and responsibilities and to encourage them in every way possible in the faithful discharge of their duties.

In Christ's Name we ask these things . . . Amen.

### **Pledge of Allegiance to the Flag**

Mr. Pryor of Ashland led the Convention in the Pledge of Allegiance to the Flag.

(Mr. Heald of Keene in the Chair)

Mr. Heald introduced 3 boys who appeared in uniform as members of the reactivated unit, Company E, Berdan's Sharpshooters, of the Civil War.

Mr. Heald then introduced Dr. J. Duane Squires, Chairman of the N. H. Civil War Centennial Commission, who delivered the following address:

## NEW HAMPSHIRE AND THE CIVIL WAR

One hundred years ago this morning the advance units of the army of General Robert E. Lee were on the march north from Virginia into Pennsylvania; the powerful forces of General U. S. Grant were surrounding Vicksburg in Mississippi; and the cavalry of General John H. Morgan of Kentucky were in the opening stages of their famous raid north of the Ohio River. Your predecessors in this Legislature were in the process of electing Joseph A. Gilmore as Governor of New Hampshire, and were engaged in implementing the first national draft law, as passed by Congress in March, 1863.

Today, a century later, we are joining the nation in commemorating the actions and achievements of our forefathers a hundred years ago. As that great man, whose portrait hangs behind me, President Abraham Lincoln, once said: "It is altogether fitting and proper that we should do this." For the twin objectives were the preservation and maintenance of our national union, and the securing of better relations among the races which comprise the nation. In the noble words of Daniel Webster, whose portrait also graces this chamber, "Liberty and Union, now and forever, one and inseparable."

What part did our beloved State play in this mighty conflict between 1861 and 1865? Let me seek to answer that question from three perspectives. First, I wish to consider the military contributions of New Hampshire to the Civil War. Secondly, let me suggest some of the ways in which the home front served the fighting men. And, in the third place, permit me to indicate certain areas in which New Hampshire contributed to and participated in the larger aspects of the Civil War. To an audience like this it is pertinent to observe that many of the decisions and actions which I shall narrate were made in this very building in which we now are, by the then legislature, by the then governors and their council members, and by the other high officials of New Hampshire between 1861 and 1865.

First, then, to the military contributions of this State to the armed forces of the United States in the Civil War. When that great struggle began in 1861, there were twelve local military companies in this State. A remnant of the militia system of the earlier days, these volunteer groups had a total membership of 760 men. The several governors and the legislatures

during the ensuing four years authorized the formation of no fewer than eighteen infantry regiments, each comprising 780 officers and men. The First New Hampshire, enlisted in 1861, was a 90-day regiment. The regiments numbered from Two through Fourteen were 3-year regiments. The Fifteenth, Sixteenth, Seventeenth, and Eighteenth were 9-month regiments. As you walk the corridors of this building you will see at least sixteen portraits on the walls, indicating some of the noted officers who commanded these famous regiments of the Civil War. Their flags ornament the great hall downstairs, and their achievements are written clearly on the pages of military history.

In addition to these eighteen regiments of infantry, New Hampshire furnished four companies of cavalry, three companies of Berdan's Sharpshooters — some prototypes of whom we have here today — certain artillery units, and many volunteers in the armed forces of our sister states. More than 3,000 New Hampshire men served in the United States Navy, and almost 400 in the U. S. Marine Corps. You all are aware of the accomplishments of the famous U. S. warship built at Portsmouth in 1861 and named the U. S. "Kearsarge." It was the first of a long line of ships to bear that name, the most recent of which last month picked Astronaut Gordon Cooper from the waters of the Pacific Ocean following his twenty-two orbits around the world. You are aware, also, that the Portsmouth Navy Yard built and commissioned the first battleship ever to be called the "New Hampshire," launched in 1864. We all may be proud of the fact that the first U. S. Air Corps in our entire history was founded in 1861 by a native of the Town of Randolph in this State, — T. S. C. Lowe.

By the Federal Census of 1860 our State's population was 326,073. All in all, I calculate that more than 33,000 different men from New Hampshire participated in the armed services of the United States during the war. As you veterans of more recent conflicts know, when any government puts upwards of 10% of its whole population into uniform, it has made a tremendous effort. And that is exactly what New Hampshire did between 1861 and 1865.

Let me now speak briefly about certain ways in which the New Hampshire home front aided the men in uniform. I begin with a comment on the role played by our State in the U. S.

Sanitary Commission. This was the predecessor of the Red Cross, since that organization had not yet come into existence. Early in 1861 the U. S. Sanitary Commission fair in Manchester netted several thousands of dollars for the beneficent work of this group.

In addition to the work of the U. S. Sanitary Commission, the State legislature authorized the appointment of official agents to provide and care for the sick and wounded soldiers of New Hampshire who were scattered in the great hospitals throughout the North. Among these was the Webster Hospital in Manchester. Just a hundred years ago next month, five men from our State were sent by the governor to Gettysburg to aid the suffering soldiers from New Hampshire who had been injured in that terrible battle. Many of our most able medical men volunteered for service with the armed forces. Among these were Dr. John M. Brown of Hinsdale, Dr. Luther V. Bell of Frankestown, Dr. A. B. Crosby of Gilmanton, Dr. George F. French of Dover, and Dr. J. T. Adams of Claremont. You all know the wonderful work of such New Hampshire nurses as Harriet P. Dame of Concord and Sarah Low of Dover.

Supplementing the missions of mercy performed by doctors, nurses, and similar services were the efforts of the New Hampshire legislature to assist the fighting men in other ways. Early in the war the lawmakers in Concord gave permission to the towns and cities to raise money for the benefit of the families of men in the armed services. The aggregate payments under the authority of this act reached almost \$2,000,000. In addition, during the later years of the war, when volunteers were less numerous than they had been in 1861, the legislature authorized the payment of a State bounty of \$100 for each recruit, and permitted the towns and cities to augment this with additional amounts. Still another legislative service to the fighting men was the enactment of the first absentee voting law in our State's history. Passed by the legislature on August 16, 1864, this law permitted men in uniform to vote by absentee ballot. That autumn more than 2,700 such New Hampshire votes were cast. Thus a modern principle was introduced into our public life.

An extremely important contribution of the New Hampshire home front to the men at war was the productive output of the factories and farms of the State. From our great textile

mills came blankets, cotton and woolen cloth, hosiery, and some ready-made clothing. From our machine shops came all manner of items for the Quartermaster General, ranging from locomotives to nails. From the farms and forests of New Hampshire came lumber, meat, grain. From mines and quarries came granite, mica, and some copper. Truly from Coos to the sea the energetic people of New Hampshire, alike in the town and in the country, supplied the sinews of war to the armed services.

The problem of prisoner exchange during the Civil War was a most vexing one. Hundreds of thousands of men on each side were captured at one time or another and incarcerated in forlorn prison camps. The only practical way for release from these camps, in which so many men on each side perished, was prisoner exchange. It might interest you in this chamber to note that the legal cartel by which this exchange was made possible was signed in 1862 in behalf of the U. S. by Major General John A. Dix. A native of Boscawen, his full-length portrait hangs only a few feet from this rostrum.

Now, in the third place, I would like to indicate certain ways in which New Hampshire contributed to and participated in the larger aspects of the Civil War. It cannot be too greatly stressed that the four years from 1861 to 1865 were among the most vital in American history. This was so, not alone because of events on the battlefield and on the home front, but also from the viewpoint of the enduring accomplishments of our nation. Time permits me to summarize only six of these.

In 1862 U. S. Senator Henry Wilson of Massachusetts introduced a bill into Congress to create a national award for valor to be known as the Medal of Honor. This bill was signed by President Lincoln later that summer, and the first medals were soon granted. For one hundred and one years, this medal has been esteemed as the highest award for military valor in the gift of the United States. Twenty New Hampshire men won it during the Civil War. You and I may be proud that Henry Wilson was a native of Farmington, New Hampshire, in which community his name is still an honored one.

A century ago Congress enacted legislation which produced the system of National Banks as we know them today. Prior to 1863 in our country and in our State there had been no such thing as a "national bank." Banks in New Hampshire were chartered by the legislature in a manner familiar to you

all. But by the end of the war there were fourteen of the new national banks in New Hampshire, and their presence in our banking system has been continuous ever since.

In 1863, also, Congress passed the laws which began the Pacific railroads. These great national projects, as important then as the Interstate Highway System is today, included in the beginning the Union Pacific from Omaha to San Francisco, and the Northern Pacific, from Duluth to Seattle. It is a matter of pride to observe that one of the principal engineers in laying out the western stretches of the Union Pacific was Samuel S. Montague, a native of Keene.

In 1862, thanks to the efforts of Senator Justin S. Morrill of our sister state of Vermont, Congress enacted one of the most important laws in its entire history. This was the so-called Land Grant College Act, by which every state in the Union was authorized to establish a college of agriculture and mechanic arts. This was to be aided by a federal grant in the amount of 30,000 acres of public land for every member which that state then had in Congress. The New Hampshire legislature promptly accepted the provisions of this law, and in 1866 authorized the establishment of such a college in this State. Originally set up in Hanover, it was, as you know, later moved to Durham, and in 1923 by permission of this body became the University of New Hampshire.

President Lincoln's Secretary of the Treasury was Salmon P. Chase, a native of Cornish, New Hampshire, and a graduate of Dartmouth College. In 1861, with the approval of the President, Secretary Chase authorized the stamping of the famous words, "In God We Trust" on a then minted coin, the 2c piece. Eventually this sentence was to appear on all American coins and on our currency as well. But it is worth remembering that it began during the Civil War.

One final relationship of New Hampshire to the enduring accomplishments of our nation may be noted. That was the abolition of slavery. Although there is no evidence that our men rushed to enlist in 1861 because of an overpowering desire to free the slaves in the South, as the war went on sentiment in this State hardened. In 1862, the New Hampshire legislature thanked Congress for abolishing slavery in the District of Columbia, and in that same year sent a message to the President urging the enlistment of negroes in the armed forces of the

nation. There is little doubt that this memorial from our legislature encouraged President Lincoln to issue his Preliminary Emancipation Proclamation in September, 1862, and the final Emancipation Proclamation on January 1, 1863.

Allen Nevins, the Chairman of the U. S. Civil War Centennial Commission, has spoken of the lasting effect of the release of peaceful energies in this nation between 1861 and 1865, made possible by the outcome of the battles of the Civil War. When today you hear or read of the Congressional Medal of Honor, of national banks, of transcontinental railroads, of Land Grant Colleges, of the inscription on our money, and of the emancipation of the negro, reflect and be proud that our New Hampshire forbears played a significant and honorable part in all six of these momentous developments.

During the Civil War New Hampshire had four governors: Ichabod Goodwin of Portsmouth, who bore the heavy responsibility of readying the State for war after the firing on Ft. Sumter; Nathaniel S. Berry of Hebron, who was a friend of President Lincoln, and who encouraged the latter on the negro problem; Joseph A. Gilmore of Concord, who greeted Mrs. Lincoln and her two sons when they visited New Hampshire a hundred years ago this summer; and Frederick Smyth of Manchester, who supervised the demobilizing of the State after the war. Among the New Hampshire men in high position with the national government at Washington during the war years were U. S. Senator John P. Hale of Dover, whose statue stands on the Capitol Plaza; Senators Aaron H. Cragin of Lebanon and Daniel Clark of Manchester; Congressman Edward H. Rollins of Concord; Nehemiah G. Ordway of Warner, who long served as Sergeant at Arms for the House of Representatives; Amos Tuck of Exeter; and George G. Fogg of Dover.

These, then, ladies and gentlemen, are three perspectives from which we today should view the war years between 1861 and 1865 and New Hampshire's part therein: (1) the military contributions of our State to the United States; (2) the ways in which the home front served the fighting men; and (3) the part that New Hampshire played in the enduring accomplishments of the war to our nation. It is these three aspects which the New Hampshire Civil War Centennial Commission, many of whose members are your guests this morning, have been seeking to explain during the past years. It is these three aspects of the



war which I trust your honorable body will call to mind when thinking of the great struggle of a century ago.

No man or woman of 1963 can understand our country today unless he or she has some grasp of the Civil War and what it meant to this nation. That great struggle shaped our way of life and our national ideals almost as much as did the War for Independence itself. Because this is so, a commemoration of it is amply justified by this generation today. The love for the Union which Webster set forth in his immortal words I have already quoted, and the desire of the American people to give equal justice to both the great racial groups of which this nation of ours is composed, — these twin ideals are just as much a matter of concern today as they were in 1861. Those of you who read the moving address by Vice President Johnson on May 30, 1963, will understand what I mean.

"It is for us, the living," said President Lincoln at Gettysburg just a century ago this autumn, "... to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced." True in 1863; true in 1963. The task for which millions of people worked and for which so many thousands suffered and died between 1861 and 1865 is not yet finished. It still calls for dedicated men and women, lawmakers, executive officers, citizens in general. As President Lincoln said in his annual message to the Congress in December, 1862: "We — even we here — hold the power and bear the responsibility . . . We shall nobly save, or meanly lose, the last best hope of the earth." Your Excellency, and distinguished men and women of this Legislature, that is the meaning and the challenge of the Civil War commemoration to us in New Hampshire in 1963.

— Dr. J. Duane Squires, Chairman  
Department of Social Studies  
Colby Junior College  
New London, New Hampshire

Mr. Heald then introduced Mr. Rupel Perkins of Nashua who rendered the Battle Hymn of the Republic.

(Speaker in the Chair)

**Recess**

**After Recess****House**

On motion of Mr. London of New London the address of Dr. Squires was ordered printed in today's Journal.

**Leaves of Absence**

Messrs. Habel of Somersworth and Nickerson of East Kingston were granted an indefinite leave of absence on account of illness.

Messrs. White of Derry and Turner of Gilsum were granted leave of absence for the week on account of illness.

**Introduction of a Bill**

The following bill was introduced, read a first and second time, and referred as follows:

HB 646, legalizing the proceedings relating to the annexation of the Sandwich School District to the Inter-Lakes Cooperative School District (Rules Committee — Matheson of Center Harbor) to Education.

Mr. Matheson of Center Harbor moved that the rules of the House be so far suspended as to dispense with the printing of HB 646 and public hearing.

The Clerk read the bill in full.

House Bill No. 646, An Act legalizing the proceedings relating to the annexation of the Sandwich School District to the Inter-Lakes Cooperative School District.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Proceedings Legalized. All votes adopted and proceedings taken relative to the annexation of the Sandwich School District to the Inter-Lakes Cooperative School District are hereby legalized, ratified and confirmed and the Inter-Lakes Cooperative School District as reconstituted by the annexation of the Sandwich School District is hereby declared to be duly organized as a single cooperative school district co-extensive

with the boundaries of the pre-existing Sandwich School District and the pre-existing Inter-Lakes Cooperative School District, to provide for the educational needs and services of the elementary and secondary school children and youth, effective July 1, 1963. Without limiting the generality of the foregoing, all votes and proceedings relative to said annexation taken at the following meetings are hereby expressly legalized, ratified and confirmed; meeting of the state board of education on January 7, 1963; meeting of the Sandwich School District on February 9, 1963; meeting of the Inter-Lakes Cooperative School District on February 28, 1963; meeting of the state board of education on March 11, 1963; annexation-reorganization meeting of Inter-Lakes Cooperative School District and Sandwich School District on April 1, 1963; meeting of the state board of education on April 15, 1963 and the annual meeting of the Inter-Lakes Cooperative School District on April 18, 1963.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

Mr. Matheson explained the bill.

The motion was adopted and the bill was ordered to a third reading.

### **Committee Reports**

HB 343, establishing minimum standards for mobile homes under city building codes, Mrs. Potter for Engrossed Bills. Ought to pass with amendment under Joint Rule 6.

### **Amendment to HB 343**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for the adoption of minimum standards for mobile homes under city or town building codes.

Amend section 1 of said bill by striking out the first seven lines and inserting in place thereof the following:

1 Sandards. Amend RSA 47 by inserting after section 22 the following new section: 47:22-a Mobile Homes and Travel Trailers. The board of mayor and aldermen, or the corresponding governmental body of any city or the local legislative body

of any town is hereby empowered and authorized to establish minimum construction standards for mobile homes and travel trailers used as dwellings in the city or town, by adopting

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Engrossed Bills amendment.

HB 485, relative to building and loan associations, Mr. Pratt of Keene for Banks. Ought to pass with amendment.

### Amendment to HB 485

Amend the bill by striking out sections 1, 2, 4 and 5.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following: 3 Loans and Investments. Amend RSA 393:18 (supp) as amended by 1961, 136:4 by striking out said section and inserting in place thereof the following: 393:18 Limitations on Amount of Real Estate Loans and Investments. An association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association or under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives for such real estate.

Amend section 6 by striking out RSA 393:59 as inserted by said section.

Further amend the bill by renumbering section 3, 6 and 7 to read sections 1, 2, 3.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HJR 35, in favor of Alfred Loranger, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass with amendment.

### Amendment to HJR 35

Amend said joint resolution by striking out in the first and second lines the words "five hundred and fifty-seven dollars and thirty cents" and inserting in place thereof the words, three

hundred and ninety-six dollars, so that said joint resolution as amended shall read as follows:

The sum of three hundred and ninety-six dollars is hereby appropriated to reimburse Alfred Loranger of Windham for damages to his water supply which was polluted by salt from winter maintenance of a state road. The sum hereby appropriated shall be in full payment and settlement of said claim and the same shall be a charge upon the highway funds.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 414, relative to the operation of motor boats by certain minors, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment under Joint Rule No. 6.

#### **Amendment to HB 414**

1 Operation of Boats. Amend RSA 270 by inserting after section 29 (supp) as inserted by 1963, 67 the following new section: 270:30 Persons Twelve Years of Age or Under. No person twelve years of age or under shall operate upon the public waters of the state a motor boat or outboard motor having power in excess of twenty-five horse power unless he is accompanied by an adult; and such adult shall be liable for personal injury or property damage which may result from such operation.

\* \* \*

The Clerk read the amendment in full.

On motion of Mr. Noel of Manchester the House concurred in the Engrossed Bills amendment.

HB 500, relative to real estate brokers, Mr. Claveau of Hudson for Executive Departments and Administration. Ought to pass with amendment.

#### **Amendment to HB 500**

Amend RSA 331-A:4-a as inserted by section 2 of the bill by adding at the end thereof the words, a similar examination shall be required of non-residents unless they have qualified

in the state of their residence by passing such an examination, so that said section as amended shall read as follows:

331-A:4-a Examinations. On and after January 1, 1964, the commissioner of insurance shall not issue an original salesman's or broker's license to any resident applicant therefor unless and until such applicant shall have satisfactorily passed a reasonable written examination as to his qualifications to act as such broker or salesman. The examination shall be in such form as may be prescribed by the commissioner of insurance and shall be administered by the commissioner who shall cause the examination to be given to resident applicants at least four times annually. The commissioner is authorized to publish and distribute printed material indicating the scope of the examination and suggested sources of study. A similar examination shall be required of non-residents unless they have qualified in the state of their residence by passing such an examination.

Amend RSA 331-A:6-b as inserted by section 4 of the bill by adding at the end thereof the words, upon complaint the commissioner is authorized to examine the books and records of any licensee for the purpose of investigating any violations of this statute, so that said section as amended shall read as follows:

331-A:6-b Prohibited Conduct. I. The conviction of any licensee by any court of competent jurisdiction of a crime which is a felony, whether or not the same arises out of his business as a broker or salesman, may be grounds for the revocation or suspension of his license, according to the nature of the offense, in accordance with the procedure prescribed in section 7. II. No licensee shall commingle the funds entrusted to him as agent or in escrow by the buyer or seller of real estate, with his own funds. Violation of the provisions of this paragraph may be ground for revocation or suspension of his license, according to the nature of the offense, in accordance with the procedure prescribed in section 7. Upon complaint the commissioner is authorized to examine the books and records of any licensee for the purpose of investigating any violations of this statute.

Further amend said bill by inserting after section 4 the following new section: 5 Funds Available. For the purpose of

getting funds for temporary and/or part time clerical assistance and additional printing, mailing and other current expenses required by the examination procedure provided for by this act, the insurance commissioner is authorized to pay for such assistance and expenses out of receipts collected for real estate licensing fees not to exceed the sum of \$2,500 for each fiscal year.

Further amend said bill by renumbering section 5 to read section 6.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

SB 87, relative to contract for leasing of concessions on state reservations, Mr. Cobleigh of Nashua for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 319, relative to the taking of salmon, Mr. Welch of Concord for Fish and Game. Ought to pass with amendment.

### **Amendment to HB 319**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Taking Through Ice. Amend RSA 211 by inserting after section 2-a (supp) as inserted by 1959, 71:1, the following new section: 211:2-b Season for Salmon. Notwithstanding any other provision of law or rules and regulations promulgated under RSA 206, salmon may be taken from Lake Winnepesaukee from January first through September thirtieth, and taking salmon through the ice is hereby permitted. No person shall take more than one salmon per day with the use of two fishing devices.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 522, Prohibiting carrying pistols or revolvers while hunting for deer, Mr. Cheney of Newton for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

SB 49, to amend certain probate laws, Mrs. Frizzell of Charlestown for Judiciary. Ought to pass.

The bill was ordered to a third reading.

SB 59, to enable towns and cities to contribute to ski areas under certain conditions, Mr. Spanos of Newport for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 602, prohibiting the operation of certain businesses on legal holidays, Mrs. Ainley of Manchester for Judiciary. Inexpedient to legislate.

The resolution was adopted.

HB 203, relating to attachment liens, Mr. Capistran of Manchester for Judiciary. Ought to pass with amendment.

#### **Amendment to HB 203**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Expiration. Amend RSA 511:55 (supp) as amended by 1961, 100:3, by striking out the same and inserting in place thereof the following: 511:55 Duration. Real property attached shall be holden until the expiration of six years and personal property attached shall be holden until the expiration of sixty days from the time of rendering a judgment in the action in favor of the plaintiff on which he can take execution, and if there are several attachments the property shall be holden to the creditors in the order in which their attachments were made.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 83, relative to non-judicial punishment in the militia, Mr. Gay of Derry for Military and Veterans' Affairs. Ought to pass with amendment.



**Amendment to SB 83**

Amend the bill by inserting after section 1 the following new section:

2 Uniform Allowance. Amend RSA 110-A:45, as inserted by 1957, 147:1, by striking out the same and inserting in place thereof the following: 110-A:45 Uniform Allowance for Officers. Every commissioned officer and warrant officer of the national guard shall provide himself with a complete uniform; and every officer and warrant officer so uniformed and in the service on June first in each year shall be then paid by the adjutant general fifty dollars from the appropriation made therefor.

Further amend the bill by renumbering section 2 to read section 3.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 570, relative to transporting garbage or waste into this state, Mr. Green of Rollinsford for Public Health. Inexpedient to legislate.

The resolution was adopted.

HB 578, relative to safety and health of employees, Mr. Green of Rollinsford for Public Health. Ought to pass with amendment.

**Amendment to HB 578**

Amend section 1 of the bill by striking out the word "or" in the sixth line; further amend said section by adding after the word "establishments" in the sixth line the words, or building and construction occupations, so that said section as amended shall read as follows:

1 Labor Commissioner. Amend RSA 277:1 (supp) as amended by 1955, 291:1 by striking out said section and inserting in place thereof the following: 277:1 Application; Definitions. This chapter shall apply to factories, mills, workshops, mines, quarries or other manufacturing, commercial, mercantile establishments or building and construction occupations in which one or more persons are regularly employed.

The term employer as used herein shall include every person, firm, corporation or association operating in this state any such establishment. The term place of employment shall include such places and all buildings, sheds, structures or other places used in connection therewith. The term employee shall include every person employed to work in any such place of employment.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 537, abolishing the motor boat fund, Mr. Hancock of Concord for Ways and Means. Refer to Legislative Council or Legislative Services Commission.

The resolution was adopted.

HB 294, relative to the taxation of boats and unrefunded motor vehicle road tolls, Mr. Hancock of Concord for Ways and Means. Refer to Legislative Council or Legislative Services Commission.

The resolution was adopted.

HB 256, authorizing retirement system for employees of the city of Berlin, Mr. Dubey of Berlin for the Berlin Delegation. Ought to pass.

The bill was ordered to a third reading.

HB 582, relative to legislative mileage allowances, Mr. Maloomian of Somersworth for Mileage. Ought to pass.

Mr. Fortier of Berlin offered the following amendment:

#### **Amendment to HB 582**

Amend RSA 14:15-a as inserted by section 1 of said bill by striking out the words "for the next twenty-five miles six cents per mile, and for all miles in excess of ninety-five miles five cents per mile" in the tenth, eleventh and twelfth lines of said section 1, and inserting in place thereof the words, and for all miles in excess of seventy miles seven cents per mile, so that said section 14:15-a as amended shall read as follows:

1 General Court. Amend RSA 14 by inserting after section 15 the following new sections: 14:15-a Travel Allowance

to Members. A member of the general court shall be allowed for mileage per mile of the round trip to and from his home to the state house in Concord each day of attendance at the following rates; for the first twenty-five miles thereof twenty-five cents per mile, for the next twenty miles twenty cents per mile, for the next twenty-five miles eight cents per mile, and for all miles in excess of seventy miles seven cents per mile. Each member of the house of representatives shall present evidence of his attendance by complying with regulations with respect thereto as the mileage committee may adopt. In the computation of mileage under the provisions hereof the word "day" shall be deemed to be a calendar day and whenever a legislative session shall be continued beyond 12 o'clock midnight the members present shall be entitled to additional mileage for another day's attendance. Any member of the general court absent for any cause from such attendance shall not be allowed mileage for the day he is so absent.

\* \* \*

Mr. Fortier of Berlin moved that reading of the amendment be dispensed with.

Mr. Fortier explained the amendment.

The motion was not adopted and the Clerk read the amendment in full.

Mr. Kimball of Manchester spoke against the amendment.

(discussion ensued)

Mr. McMeekin of Haverhill spoke in favor of the amendment.

Mr. Maloomian of Somersworth spoke against the amendment.

The amendment was not adopted.

Mr. Bednar of Hudson offered the following amendment.

#### **Amendment to HB 582**

Amend said bill by inserting after section 4 the following new section:

5 Toll Roads. On the days when the legislature is in session, legislators shall be permitted to use the toll roads, in travelling between their homes and Concord, free of toll.

Further amend said bill by renumbering section 5 to read section 6.

\* \* \*

The clerk read the amendment in full.

Mr. Bednar of Hudson explained the amendment.

Mr. Kimball of Manchester spoke against the amendment.

The amendment was not adopted.

HB 582 was referred to Appropriations under the Rules.

### **Recess**

HB 366, establishing a comprehensive system of district courts, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

### **Amendment to HB 366**

Amend RSA 502-A:1, as inserted by section 1 of the bill, as follows:

By inserting in paragraph III after the word "Epping" the words, Plaistow, Kingston, Newton, Danville, so said paragraph as amended shall read as follows:

III Exeter District. The Exeter District shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, Plaistow, Kingston, Newton, Danville and Brentwood. The municipal court for the town of Exeter is hereby constituted the district court in and for said district and shall be located in said Exeter, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Exeter District Court.

By striking out paragraph VII, relative to Plaistow District.

Amend paragraph VIII by striking out the words "Durham, Lee" so said paragraph as amended and renumbered shall read as follows:

IV Dover District. The Dover district shall consist of the city of Dover and the towns of Barrington and Madbury. The district court for the city of Dover is hereby constituted the district court in and for said district and shall be located in said Dover, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Dover District Court.

By renumbering paragraphs IX, X, XI, XII, XIII, XIV, XV and XVI to read VIII, IX, X, XI, XII, XIII, XIV and XV.

Amend paragraph XVII by inserting after the word "New London" the word, Webster, so that said paragraph as amended and renumbered shall read as follows:

XVI Franklin District. The Franklin district shall consist of the city of Franklin and the towns of Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, New London, Webster and Wilmot. The municipal court for the city of Franklin is hereby constituted the district court in and for said district and shall be located in said Franklin, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Franklin District Court.

Amend paragraph XVIII by striking out the words "Sutton and Webster" and inserting in place thereof the words, and Sutton, so said paragraph as amended and renumbered shall read as follows:

XVII Henniker District. The Henniker district shall consist of the towns of Henniker, Warner, Bradford, Newbury, and Sutton. There is hereby constituted and established a district court in the town of Henniker for said district and shall be located in said Henniker, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Henniker District Court.

By renumbering paragraphs XIX, XX, XXI, XXII, XXIII and XXIX to read paragraphs XVIII, XIX, XX, XXI, XXII and XXIII.

Amend paragraph XXV by inserting after the word "Hinsdale" the words, Harrisville, Walpole, Alstead, so said paragraph as amended and renumbered shall read as follows:

XXIV Keene District. The Keene district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead and Chesterfield. The municipal court for the city of Keene is hereby constituted the district court in and for said district and shall be located in said Keene, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Keene District Court.

By striking out paragraph XXVI, relative to Walpole District.

Amend paragraph XXVII by striking out the word "Harrisville" so said paragraph as amended and renumbered shall read as follows:

XXV Jaffrey District. The Jaffrey district shall consist of the towns of Jaffrey, Dublin, Fitzwilliam, Troy and Rindge. The municipal court for the town of Jaffrey is hereby constituted the district court in and for said district and shall be located in said Jaffrey, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Jaffrey District Court.

Amend paragraph XXVIII by inserting after the word "Unity" the words, Charlestown, Acworth, Langdon, and further amend said paragraph by adding at the end thereof the words, The name of said court shall be Claremont District Court, so that said paragraph as amended and renumbered shall read as follows:

XXVI Claremont District. The Claremont district shall consist of the city of Claremont and the towns of Cornish, Unity, Charlestown, Acworth, Langdon and Plainfield. The municipal court for the city of Claremont is hereby constituted the district court in and for said district and shall be located in said Claremont, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Claremont District Court.

By renumbering paragraph XXIX to read XXVII.

By striking out paragraph XXX, relative to Charlestown District.

By renumbering paragraphs XXXI, XXXII and XXXIII to read XXVIII, XXIX and XXX.

Amend paragraph XXXIV by inserting after the word "Bethlehem" the word, Sugar Hill, so said paragraph as amended and renumbered shall read as follows:

XXXI Littleton District. The Littleton district shall consist of the towns of Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill and Easton. The municipal court for the town of Littleton is hereby constituted the district court in and for said district and shall be located in said Littleton, holding sessions regularly therein and elsewhere in said district as justice may require; provided that such regular sessions shall be held at least twice each month in Bethlehem during June, July, August and September. The name of said court shall be Littleton District Court.

By renumbering paragraphs XXXV, XXXVI, XXXVII, XXXVIII and XXXIX to read XXXII, XXXIII, XXXIV, XXXV and XXXVI.

Amend RSA 502-A:6, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following:

501-A:6 Salaries of Justices, Special Justices, Clerks. The salaries of justices, special justices and clerks of the district court shall be paid from the treasury of the city or town in which such courts are regularly located and may be paid quarterly or monthly.

I. Annual salaries of the justices shall be as follows: For each 1,000 people, or fraction thereof residing in the district, a sum of not less than \$120 and not more than \$180 as the local governing body of the town in which the court is located may vote.

II. Special Justices. The annual salaries of special justices of the district court shall be as follows: Not less than 10% nor more than 30% of the salary of the justice in each district as the local governing body of the town in which the court is located may vote.

The special justices in other cities and towns and the justice of peace requested to sit owing to the disqualifications of the justice and special justice, shall be paid from the treasury

of the city or town wherein said court is located, twenty dollars a day for each day or part thereof that he shall serve in said capacity.

III. Clerks' Salaries. The annual salaries of the clerks of the district courts shall be not less than 30% and not more than 60% of the annual salary of the justice in each district as the local governing body of the town in which the court is located may vote.

Amend RSA 502-A:8, as inserted by section 1 of the bill, by striking out the same and inserting in place thereof the following:

502-A:8 Duties of Clerks; Disposition of Fines: The clerk shall receive all fines and forfeits paid into the district court from any source. After deducting witness fees, costs of clerk's bond, if any, court seal, record books, printing blanks, and such other expenses as may be legally incurred in the maintenance and conduct of said court the clerk shall, except in cases otherwise provided, pay one half the same over to the treasurer of the city or town wherein said court is located for the use of said city or town, and the other one half to the treasurer of the city or town wherein the offense occurred. It is further provided that whenever fines are assessed on account of violations of Title XXXIV, RSA, relative to public utilities, Title XXXIX, RSA, relative to aeronautics, Title X, RSA, relative to public health, chapter 270, RSA, relative to navigation, chapter 282, RSA, relative to unemployment compensation, chapters 183, 184, 185, 341, to 344, RSA, inclusive, and chapters 284, 345, 425 to 429, 433, 434, 436 to 439, 440 to 443, RSA, relative to agriculture, or any other statutes wherein it is provided that the fines shall be paid to the state or to a department or agency of the state, the clerk of the district court shall deduct from each of said fines so collected by the court the sum of ten dollars and twenty per cent of that part of the fine which exceeds ten dollars, and after deducting witness fees, if any, and cost of clerk's bond, if any, shall pay over the balance to the state or department or agency to whom due, within seven days after receipt thereof. The part of said fines deducted by the clerk as hereinabove provided shall be retained and used for payment of expenses of the court.



Amend section 502-A:40, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

502-A:40 Municipal Court Abolished; Exception. All municipal courts not continued as provided for in this section are hereby abolished. If the municipal court of any town is not constituted a district court under the provisions hereinabove set forth in this chapter and such towns shall desire to continue to maintain its local court, it may do so in accordance with the following procedure:

I. An article providing for the continuation of the local municipal court may be inserted in the warrant for the annual town meeting for the year 1964 or any special meeting called prior thereto for this purpose. The question shall be submitted in writing in the following form in all towns using a printed ballot.

Shall the town of ..... continue to maintain its existing municipal court at its own expense so long as its present judge remains in office? [Yes ( ) No ( )]

II. If the town shall vote to continue its municipal court at such meeting, such vote shall be certified by the town clerk to the secretary of state and the court of that town shall thereafter continue to be a municipal court with all the jurisdiction, powers, and duties of municipal courts under RSA 502. This shall not deprive the district court (which may include the town in question) of its jurisdiction as contained in this chapter, but the district court and the continued municipal court shall have concurrent jurisdiction over all matters within the province of the municipal court under chapter 502.

III. The tenure of office of the persons serving as justices and special justices and clerks of any municipal court thus continued by the vote of the town in which it is located shall continue, but upon the occurrence of any vacancy in the office of the justice of any municipal court so continued, such office shall not be filled and the municipal court in that town shall thereafter be abolished and exclusive jurisdiction shall thereafter vest in the district court for the appropriate district as created by this chapter.

Further amend said bill by striking out section 3 and inserting in place thereof the following:

3 Term of Office Terminated. The term of office of any justice or special justice of any municipal court abolished by the terms of this chapter shall terminate as of June 30, 1964, except that the term of office of any justice or special justice of a municipal court continued by vote of the town under RSA 502-A:40 shall terminate when said court is abolished as hereinbefore provided.

Further amend said bill by striking out section 5 and inserting in place thereof the following:

5 RSA 502 Superseded. RSA 502 (supp) as amended by 1955, 133:1, 6182:1, 253:1, 279:1, 296:1, 1957, 17:1, 66:1, 83:1, 108:1, 2, 125:1, 2, 166:3, 175:1, 2, 204:1, 209:1, 2, 277:1, 2, 234:1, 2, 243:1, 244:1, 1959, 4:1, 7:1, 19:3, 40:1, 2, 105:1, 212:1, 298:1, 1961, 15:1, 16:1, 67:1, 82:1, 124:1, 2, and any acts or parts of acts inconsistent with the provisions of RSA 502-A relative to district courts are hereby superseded by RSA 502-A as to all towns and cities hereafter served by district courts. As to any towns which continue to be served by municipal court as permitted under RSA 502-A:40, RSA 502, and any other provisions of the Revised Statutes Annotated pertaining to the jurisdiction, powers and duties conferred upon municipal Courts shall continue in full force and effect.

Further amend the bill by striking out section 6 and inserting in place thereof the following:

6 Effective Dates. Such provisions of RSA 502-A:40 as authorize a town to vote to establish its municipal court as a district court shall take effect as of January 1, 1964. The remaining provisions of this act shall take effect as of July 1, 1964.

\* \* \*

Mr. Stevenson of Bethlehem moved that further consideration of HB 366 be indefinitely postponed and spoke in favor of the motion.

Mr. Pappagianis of Nashua spoke against the motion.

(discussion ensued)

Mr. Peterson of Peterborough rose on a point of information.

Mrs. Palmer and Mrs. Schwaner of Plaistow spoke in favor of the motion.

Messrs Upton of Concord, Kimball of Manchester spoke against the motion.

(discussion ensued)

Mr. Stafford of Laconia spoke in favor of the motion.

(discussion ensued)

Messrs. Spanos of Newport, Johnson of Hanover and Mrs. Cooper of Nashua spoke against the motion.

Messrs. Pryor of Ashland, Mahoney of Manchester and Mrs. Brown of Sandwich spoke in favor of the motion.

Mr. Lamprey of Tuftonborough moved the previous question and it was sufficiently seconded.

The motion was lost.

The question now being on the motion to indefinitely postpone HB 366.

Mrs. Frizzell of Charlestown demanded the Yeas and Nays and the roll was called as follows:

Yeas — 120

SULLIVAN COUNTY: Hood, Merrifield.

GRAFTON COUNTY: Pryor, Stevenson, Plumer, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Cushman, Anderson of Warren, Berringer.

COOS COUNTY: Connolly, Marsh, Nash, Graham, Sherman, Shute, Fogg, Bushey, Potter, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Persson, Watts, Scott, Hackett, Collishaw, Wheeler, Wylie, Spollett, Merrill, Clark of Kingston, Cheney, Palmer of Plaistow, Schwaner, Murch, Stafford of Portsmouth, Dame, Osborn, Chandler, White of Portsmouth, Frink, Legasse, Langford, Greene of Rye, Young, Grant, Morrill, Morrison, Stickney, Felch, Barker.

STRAFFORD COUNTY: Leighton, Richardson, Crouch, Littlehale, Drew, Canney, Adams of Madbury, Dawson, Moulton, Rolfe, Chase, Johnson of Rochester, Varney, Green of Rollinsford, Bennett of Strafford.

BELKNAP COUNTY: Goodhue, Uhlenberg, Lacaillade, Prescott, Stafford of Laconia, Allan of Meredith, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Taylor of Effingham, Diffenderfer, Brown of Sandwich, Lamprey of Tuftonboro, Fox.

MERRIMACK COUNTY: Hanson, Moore, Hutchinson, Henry, Dame of Concord, Hancock, MacDonald, Sanders, Kelley of Franklin, Lafond, Lambert, Brown of Loudon, Robinson, Bigelow.

HILLSBOROUGH COUNTY: Bragdon, Wiggin, Whitney, Hambleton, Taft, Brocklebank, Legallee, Warren, Lang, Geisel, Mahony of Manchester, Ward 2, Cobleigh, Todd, Garland, Rice, Heald of Wilton.

CHESHIRE COUNTY: Gowing, Stearns, Allen of Rindge, Ballam, Smith of Walpole, Sawyer.

Nays — 224

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Gaffney, Angus, Campbell, Nahil, Barrows, D'Amante, Guest, Weber, Marx, Bailey, Downing, Spanos.

GRAFTON COUNTY: Chamberlin of Bath, Willey, Grey, Bowles, Morse, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, Larty, McMeekin, Adams, Beard, Coutermarsh, Demers, Lewis, Whipple, McGee, Brummer, Bell, Smith of Plymouth, Barney, Bean.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Dumont of Berlin, Vashaw, Bouchard, Gagnon, Arsenault.

ROCKINGHAM COUNTY: Griffin, Vey, Underwood, Cummings, Eastman of Exeter, Weeks, Shindledecker, Palmer of Kensington, McDonough, Sewall, Twardus, Keefe, McEachern, Sadler, Cavalieri, Coussoule.

STRAFFORD COUNTY: Berry, Blanchette, Nelson, Grimes, Hemon, Fellows, Colbath, Maglaras, Bevan, Clark of Lee, Hartigan, Marsan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Maloomian, Cormier, Hebert, Vincent.

BELKNAP COUNTY: McAllister, Bolduc, Matheson, Harkins, Normandin, Head, Hayner, Joslyn.

CARROLL COUNTY: Blanchard, Remick, Chamberlain of Wolfeboro, Claffin.

MERRIMACK COUNTY: Guilbeault, Fairbanks, Asby, La-Flamme, York, Upton, Bingham, Smith of Concord, Ferguson of Concord, Gove, Newell of Concord, McKay, Stevens, Gilman, Charland, Dempsey, Doon, Reddy, London, Thompson of Northfield, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Edwards, VanLoan, Farwell, Barnard, Bartlett, Davis of Greenfield, Pickering, Eaton, Claveau, Gallagher, Provencal, Ainley, Feldman, Pettigrew, Conover, Kimball of Manchester, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, Ward 4, McDermott, Clancy of Manchester, Ward 5, Manning, Walsh, Casey, Clancy of Manchester, Ward 6, Doherty, Dupont, Healy, O'Connor, LaFrance, LeClerc, Martel, Tessier, Bernier, Champagne, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Kearns, Hurley, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Gamache, Grady, Tremblay of Manchester, Vachon, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cole, Cooper, Dionne of Nashua, Ward 2, Thibault, Belcourt, Sullivan, Maynard, Pappagianis, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Latour, Lavallee, Sablusi, Desmarais of Nashua, Dumais, Karnis, Peabody, Peterson, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Watkinson, Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Pollock, Shea of Keene, Ward 2, Belletete, Heald of Keene, Bennett of Keene, Faulkner, Pickett, Russell, Oliver, Forbes, Bennett of Richmond, Bouvier, Hackler, Abare, Wildey.

and the motion to indefinitely postpone HB 366 was lost.

The question now being on the committee amendment.

Mrs. Palmer of Plaistow offered the following amendment to the amendment:

#### **Amendment to Amendment HB 366**

Amend paragraph III of RSA 502-A:1 as inserted by section 1 of said bill by striking out said paragraph as amended and inserting in place thereof the following:

III Exeter District. The Exeter district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping and Brentwood. The municipal court for the town of Exeter is hereby constituted the district court in and for said district and shall be located in said Exeter, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Exeter District Court.

Amend RSA 502-A:1 as inserted by section 1 of said bill by inserting after paragraph VI the following paragraph:

VII Plaistow District. The Plaistow district shall consist of the towns of Plaistow, Kingston, Newton and Danville. The municipal court for the town of Plaistow is hereby constituted the district court in and for said district and shall be located in said Plaistow, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Plaistow District Court.

\* \* \*

The amendment was read in full.

Mrs. Palmer of Plaistow explained the amendment.

Mr. Upton of Concord spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

The question now being on the adoption of the committee amendment as amended.

The committee amendment as amended was adopted.

Mr. Johnson of Hanover offered the following amendment.

#### **Amendment to HB 366**

Amend paragraph I of RSA 502-A:14, as inserted by section 1 of the bill, by striking out said paragraph and inserting in place thereof the following:

502-A:14 Civil Causes. I. Exclusive Jurisdiction. District courts in which the salary of the justice exceeds ten thousand dollars per year shall have original and exclusive jurisdiction of civil cases in which the damages demanded do not exceed five hundred dollars and the title to real estate is not involved.

All other district courts shall have concurrent jurisdiction in such matters. If the defendant upon entry of any action under this section shall within five days of the entry thereof or such additional time as the district court may for good cause allow file in the district court a brief statement setting forth that

a. There is pending in the superior court a cause arising out of the same transaction or situation on which the district court action is based, or

b. That the defendant has a claim arising out of the same transaction or situation in which his claim for damages exceeds five hundred dollars, and

c. Accompanies his brief statement with an affidavit under oath supporting the same, then no further proceeding shall be had in the district court but the cause shall be at once transferred to the superior court for the county in which the district is located to be heard and tried as if originally entered in the superior court, the original entry fee and cost of transferring the action to be paid by the plaintiff be recoverable as costs if the plaintiff shall prevail. If no petition to remove is filed, the cause shall be heard by the justice or special justice in the district court and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same manner as from the superior court. Provided, however, that the judgment of the district court in such civil causes shall not be res adjudicata as to any issues other than those specifically decided by the district court in any case where there are claims outstanding arising out of the same transaction or situation unless such claims were required to be brought in the district court under the terms of this section.

\* \* \*

(Mr. Angus of Claremont in the Chair)

Mr. Johnson explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 544, relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions, Mrs. Clark of Lee for Executive

Departments and Administration. Ought to pass with amendment.

### **Amendment to HB 544**

Amend 49-A:5, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following:

49-A:5 Qualification of Voters. Persons who would be qualified to vote in a biennial election if held on the day of such municipal election shall be qualified to vote in all elections held pursuant to this chapter and all elections held hereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this chapter. The polls shall be open at each municipal election during such hours as the charter may provide, but in any event for not less than ten hours.

Amend 49-A:12, as inserted by section 1 of the bill, by adding at the end thereof the following:

Any city wishing to adopt the amending process hereinabove provided for without adopting either of the two charters provided for by this chapter may do so by submitting the following question to the voters at any regular municipal election: Shall the city of ..... adopt the home rule amending process provided for in RSA 49-A which will permit the city to adopt amendments to its charter by popular referendum without the necessity of legislative act? If a majority of those voting on the question answer "Yes," the city shall thereafter be empowered to adopt as an amendment to its own charter any provision contained in the charter of any other city in the state of New Hampshire, or any provision contained in either of the charters provided for by this chapter. Upon the adoption of any amendment to an existing corporate charter or upon the adoption of either of the charters provided for by this chapter, the city clerk of the adopting city shall not later than ten days thereafter file with the secretary of state a certified copy of the amendment or of the charter adopted, so that said section as amended shall read as follows: 49-A:12 Amendments and Later Referenda. Amendments to any charter adopted hereunder may be made by the same procedure hereinabove out-



lined in the preceding four sections at any regular city election held after the adoption of the charter. At any regular city election held not less than five years after the adoption of one optional form of charter herein provided for, a different optional form may be adopted by any city by the procedure hereinabove established by this chapter. Any city wishing to adopt the amendment process hereinabove provided for without adopting either of the two charters provided for by this chapter may do so by submitting the following question to the voters at any regular municipal election: Shall the city of

adopt the home rule amending process provided for in RSA 49-A which will permit the city to adopt amendments to its charter by popular referendum without the necessity of legislative act? If a majority of those voting on the question answer "Yes," the city shall thereafter be empowered to adopt as an amendment to its own charter any provision contained in the charter of any other city in the state of New Hampshire, or any provision contained in either of the charters provided for by this chapter. Upon the adoption of any amendment to an existing corporate charter or upon the adoption of either of the charters provided for by this chapter, the city clerk of the adopting city shall not later than ten days thereafter file with the secretary of state a certified copy of the amendment or of the charter adopted.

\* \* \*

Mrs. Clark of Lee explained the amendment.

The amendment was adopted.

Mr. Stafford of Laconia offered the following amendment.

#### **Amendment to HB 544**

Amend 49-A:3, as inserted by section 1 of the bill, by striking out all after the word "wards" in the seventh line, so that said section as amended shall read as follows:

49-A:3 Wards. The city shall continue to be divided into the same number of wards as constituted at the time of the adoption of a charter hereunder, and the general laws relative to wards of cities, officers thereof and voters, check lists, elections and jurors therein shall be applicable to such wards.

\* \* \*

The clerk read the amendment in full.

Mr. Dupont of Manchester spoke in favor of the amendment.

The amendment was adopted.

Mr. Dupont of Manchester rose on a point of information.

Mr. Pappagianis of Manchester moved that HB 544 be laid on the table.

The motion was adopted.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 183, An act relative to the definition of a hairdressing shop.

HB 307, An act relative to salary of the sheriff of Rockingham county.

HB 218, An act relating to the filing of certificates of insurance by carriers of property and passengers for hire by motor vehicle.

HB 276, An act relative to the sale of certain animals and birds.

HB 404, An act relative to salaries of mayor and councilmen of the city of Laconia.

HB 424, An act relating to the water works in the town of Greenville.

HB 459, An act relative to the powers of Belknap College.

HB 535, An act eliminating the office of farm supervisor and providing for an additional assistant business supervisor.

HB 543, An act relative to submission to voters of Littleton of question on adoption of act providing for Littleton Park-  
ing District.

SB 123, An act legalizing the organization meeting of the Newfound area school district.

SB 124, An act legalizing certain action at an adjourned town meeting in Francestown.

HJR 13, Joint resolution in favor of Mount Washington Observatory.

HJR 32, Joint resolution providing for deficiency appropriation for the division of buildings and grounds.

Mrs. Potter of Northumberland

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester, having considered the same, report the same with the recommendation that the senate recede from its position in adopting its amendment and that the house recede from its position of non-concurrence, and that the following amendment be adopted:

Amend section 1 of the bill by striking out in the seventh, eighth, tenth and eleventh lines the words "twelve thousand five hundred" and inserting in place thereof the words, nine thousand, so that said section as amended shall read as follows:

I Mayor of the City of Manchester. Amend section 1 of chapter 223 of the Laws of 1883, as amended by chapter 203 of the Laws of 1907, as amended by chapter 280 of the Laws of 1945 and section 1 of chapter 437 of the Laws of 1957, by striking out the words "six thousand" in the second line and inserting in place thereof the words, nine thousand, so that said section as amended shall read as follows: Section 1. The salary of the mayor of the city of Manchester shall be nine thousand dollars per year payable in equal semi-monthly payments. Said salary shall be in full compensation for services performed and personal expenses incurred, either as executive or a member of any board or committee of said city.

Further amend the bill by inserting after section 3 the following new section: 4 Fixing Salaries. Notwithstanding the provisions of any other statute to the contrary, the mayor and board of aldermen of the city of Manchester is hereby empowered and authorized after January 1, 1964 to fix, increase or change the salaries of any of the following: the mayor, aldermen and members of the school committee, provided that no increase of any such salary shall take effect until the term of

office subsequent to the term during which said increase was voted.

Further amend the bill by renumbering section 4 to read section 5.

Greta M. Ainley  
John J. Kearns  
Donald S. Conover  
Conferees on the Part of the House  
Louis Israël Martel  
Paul E. Provost  
Conferees on the Part of the Senate

Mr. Kimball of Manchester spoke in favor of the report.

Mr. Peterson of Peterborough spoke in favor of the report.

The conference report was adopted.

(Speaker in the Chair)

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 459, relative to the powers of Belknap College.

HB 218, relating to the filing of certificates of insurance by carriers of property and passengers for hire by motor vehicle.

HB 276, relative to the sale of certain animals and birds.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 103, relative to service fees from initial plates.

### Amendment to HB 103

Amend the bill by striking out section I and inserting in place thereof the following:

1 Service Fees. Amend RSA 262:1-a (supp), as inserted by 1957, 292:1, by striking out said section and inserting in place thereof the following: 262:1-a Driver Training. The proceeds from service fees for initial number plates collected in accordance with RSA 260:10-a, as inserted by 1957, 8:1, after costs of plates and issuance of same have been appropriated and deducted, shall, subject to budgetary requirements of RSA 9, be expended solely for courses of instruction and training in safe motor vehicle driving conducted in or under the supervision of secondary schools. Subject to final approval by the governor and council, the director of the division of motor vehicles shall promulgate and publish rules and regulations governing the courses of instruction and training and determining eligibility of secondary schools to receive monies from said initial plate fund. All unexpended appropriations at the end of each fiscal year shall lapse to the highway fund as provided for other motor vehicle fees in RSA 6:12.

\* \* \*

On motion of Mr. Claflin of Wolfeboro the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 467, relative to use of bond proceeds and temporary loans under the municipal finance act.

### Amendment to HB 467

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. Municipal Finance Act. Amend RSA 33 by inserting after section 3 the following new section:

33:3-a Use of Bond Proceeds. The proceeds of any sale of bonds or notes shall be used only for the purposes for which the loan was incurred except as otherwise authorized by this section, provided however that any premium received shall not be used to increase the amount to be spent for the purpose for which the loan was originally incurred. If after notes or

bonds have been issued and no expenditure of the proceeds has been made for the purpose or purposes for which the debt was incurred, or if a balance remains after the completion of the project or projects for which the debt was authorized, a city by a vote of two thirds of the city council or a town, school district or village district by a vote of two thirds of the voters present and voting at an annual meeting, and a county by a two thirds vote of all the members of the county convention may authorize the expenditure of the sum or sums on hand, including any premiums received, for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time at any time which said sum or any portion thereof remains available; provided however that if the sum obtained by issuance of bonds or notes, as aforesaid, or any balance thereof, including any premium, is not appropriated as aforesaid, then the same shall be used to pay the principal of the loan as it matures. Notwithstanding the provisions hereof, no appropriation for a loan or balance thereof shall be made which will increase the amount available from borrowed money for any purpose to an amount in excess of any limit imposed by general law or special act for such purpose.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following

2. Towns and Districts. Amend RSA 33:7-a (supp) as amended by 1957, 89:1 by striking out said section and inserting in place thereof the following:

33:7-a Temporary Loans. If a municipality votes to issue bonds or serial notes in accordance with this chapter, and if in the opinion of the tax commission, such action was in accordance with the provisions of law in all respects, the officers authorized to issue the same may, in the name of the municipality, make a temporary loan or loans payable not later than two years from the date of such vote in anticipation of the money to be derived from the sale of such bonds or serial notes and may issue temporary notes therefor, but the time within which final payment shall be made on the securities to be issued represented by any such temporary loan or loans shall not be extended by reason of the making of such temporary loan or loans beyond the time fixed by law or by the vote authorizing the issue of such bonds or serial notes. A temporary note or notes issued hereunder for a shorter period than two

years may be refunded by the issue of other temporary notes maturing not later than two years from the date of such vote, provided that if a temporary note or notes are issued under the provisions of this section the first payment on account of the principal sum authorized to be borrowed by the issuance of serial notes or bonds shall be made not later than two years from the date of the vote authorizing the issue of such serial notes or bonds. The opinion of the tax commission shall be evidenced by a written certificate signed by any member thereof.

On motion of Mr. Hill of Conway, reading of the amendment was dispensed with and Mr. Hill explained the amendment.

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

\* \* \*

On motion of Mr. Pappagianis of Nashua HB 544 relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions, was taken from the table.

Mr. Cobleigh of Nashua offered the following amendment.

### **Amendment to HB 544**

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3 Application of Statute. The provisions of sections 4 to 8, inclusive, shall apply to any of the cities of Manchester, Nashua, Portsmouth, Laconia, Somersworth and Berlin, provided that the majority of the voters of any such city present and voting at a general or special election shall have voted in the affirmative on the following question to be printed on the ballot for said election:

"Shall the police commission in this city be appointed by the mayor and governing body instead of by the governor and council?"

\* \* \*

The Clerk read the amendment in full.

Mr. Cobleigh of Nashua explained the amendment.

(discussion ensued)

Mr. Pappagianis of Nashua offered the following amendment to be substituted for Mr. Cobleigh's amendment:

### **Amendment to HB 544**

Amend Section 3 on page 67 of the Act by adding at the end thereof the following:

The provisions of Sections 4 to 11 inclusive shall be subject to a referendum concerning the appointment of the police commissions of the cities of Manchester, Nashua, Portsmouth, Laconia, Somersworth, Berlin, Claremont and Dover as follows. At any regular municipal election if a majority of the governing body of the city so votes, or if ten percent of the registered voters file a petition so requesting, the following special question shall be presented to the voters:

Shall the city of \_\_\_\_\_ authorize the mayor and city council (or the mayor and board of aldermen as the case may be) to appoint the police commission instead of having the governor and governor's council appoint the commission? Yes ☐ No ☐

If a majority of those voting on the question vote in the affirmative, the provisions of this act pertaining to the city so voting shall be effective January 1 next succeeding the date on which said vote is taken.

\* \* \*

Mr. Pappagianis of Nashua spoke in favor of the substitute amendment.

(discussion ensued)

The substitute amendment was adopted and the bill was ordered to a third reading.

### **Senate Messages (cont.)**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:



HB 127, relative to bonds for dormitories at the state teachers colleges and for the new office building.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Bonds for Capital Improvements. Amend 1961, 264:10 by striking out said section and inserting in place thereof the following: 264:10 Borrowing Power. To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of two million nine hundred forty-nine thousand nine hundred twenty-seven dollars (\$2,949,927); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of four hundred nine thousand eight hundred dollars (\$409,800); to provide funds for the appropriation made in section 3 hereof not exceeding the sum of ten thousand two hundred seventy dollars (\$10,270); to provide funds for the appropriations made in section 4 hereof not exceeding the sum of one million four hundred twenty-one thousand forty-four dollars (\$1,421,044); to provide funds for the appropriation made in section 5 hereof not exceeding the sum of one million six hundred ninety thousand five hundred dollars (\$1,690,500); and to provide funds for the appropriations made in section 6 hereof not exceeding the sum of two hundred seventy-nine thousand six hundred sixty dollars (\$279,660); and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. The governor and council shall determine the maturity dates for the bonds and notes issued to provide funds for the appropriation made in section 1. The bonds and notes to provide funds for the appropriations for the purposes of sections 2, 3 and 6 are to be paid within a period of ten years, and the bonds and notes to provide funds for the appropriation for the purposes of sections 4 and 5 are to be paid within a period of twenty years. All such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

\* \* \*

On motion of Mrs. Brown of Sandwich the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 79, prohibiting the delivering of articles to prisoners in jails and houses of corrections.

SB 89, making an appropriation for educational television.

SB 95, relating to presentment for payment by banks.

SB 23, requiring the use of approved brake meters by inspection stations.

SB 99, providing that village districts may take land for water works purposes within the towns in which they are established in the same manner as in the laying out of a highway.

### Introduction of Senate Bills

The following Senate bills were read a first and second time and referred as follows:

SB 79, prohibiting the delivering of articles to prisoners in jails and houses of corrections, to Executive Departments and Administration.

SB 89, making an appropriation for educational television, to Appropriations.

SB 95, relating to presentment for payment by banks, to Banks.

SB 23, requiring the use of approved brake meters by inspection stations, to Transportation.

SB 99, providing that village districts may take land for water works purposes within the towns in which they are established in the same manner as in the laying out of a highway, to Judiciary.

\* \* \*

The Chair announced that today is the birthday of Messrs. Welch of Concord, Grimes of Dover and Mrs. Morrison of Salem.

\* \* \*

On motion of Miss Normandin of Laconia the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only and resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A. M.

### Third Readings

The following bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 485, relative to building and loan associations.

HJR 35, in favor of Alfred Loranger.

HB 319, relative to the taking of salmon.

HB 203, relating to attachment liens.

HB 578, relative to safety and health of employees.

HB 256, authorizing retirement system for employees of the city of Berlin.

HB 366, establishing a comprehensive system of direct courts.

HB 646, legalizing the proceedings relating to the annexation of the Sandwich School District to the Inter-Lakes school district.

HB 544, relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions.

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 87, relative to contract for leasing of concessions on state reservations.

SB 49, to amend certain probate laws.

### Reconsideration

Mr. Pappagianis of Nashua moved that the House reconsider its action whereby it passed HB 366, establishing a comprehensive system of direct courts, and spoke against the motion.

The motion was not adopted.

Mr. Pappagianis of Nashua moved that the House reconsider its vote whereby it passed HB 544, relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions, and spoke against the motion.

The motion was not adopted.

\* \* \*

On motion of Miss Cole of Nashua the House adjourned at 5:04 P. M.

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WEDNESDAY, JUNE 12, 1963

The House met at 11:00 a.m.

### Joint Convention

Prayer was offered as follows by Guest Chaplain, Reverend Wesley E. Burwell, Associate Minister of the South Congregational Church of Concord:

O Lord God, Father of all men, Thou dost meet us in every condition of our lives. In our jobs as legislators, Thou dost meet us as the Questioner: pushing our intellects to the limits of their understanding; pestering our consciences with questions of human justice; disturbing our spirits over the necessary limits of men's freedom.

Thou dost meet us in our personal lives, struggling always to become whole persons and tempted to settle for something less than wholeness; struggling for self-knowledge and tempted to self-deception by the image-makers; struggling for integrity and tempted by expediency; struggling to transcend all paro-

chial concerns for the sake of the common good and tempted always to succumb to the clamorings of party, home and personal prejudice; struggling to find meaningful compromise and tempted by the over-simplified categories of black or white.

We confess, O God, that we have often been frustrated and driven to despair by Thy eternal questioning. We confess that we have tried to still thy voice. But we confess, too, that it is Thy questioning which has led us closer to truth and to justice; it is Thy questioning which has driven us into maturity.

Thanks be to Thee, O God, for Thou wilt not leave us alone. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Clark of Kingston led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the Graffort Club of Portsmouth as guests of the House today.

#### **Leaves of Absence**

Mrs. Park of Lyme was granted leave of absence for the week on account of illness.

Mr. Edwards of Antrim was granted leave of absence for today on account of a death in the family.

#### **Introduction of Bills**

The following bills were introduced, read a first and second time, and referred as follows:

HB 647, relating to life insurance limits in loans for educational purposes (Hambleton of Goffstown) to Insurance.

HB 648, relative to milk control and removing retail milk price controls (Hambleton of Goffstown) to Agriculture.

HB 649, relative to construction of an access road to Ragged Mountain in the town of Danbury (Rules Committee — Plumer of Bristol) to Public Works.

HB 650, relative to the Lisbon village district (Rules Committee — Brummer of Lisbon) to Executive Departments and Administration.

HB 651, providing for an additional appropriation for the expenses of the legislature.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to dispense with the printing and reference to committee of HB 651.

The Clerk read the bill in full.

An Act providing for an additional appropriation for the expenses of the legislature.

Be it Enacted by the Senate and House of Representatives in

General Court convened:

1 Supplemental Appropriation. The sum of one hundred fifty thousand dollars is hereby appropriated for the fiscal year ending June 30, 1963 for the expenses of the legislature. This appropriation shall be in addition to any other sums appropriated for the legislature, shall not lapse and shall not be transferred to any other account. The sum hereby appropriated shall be a charge on the general fund.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

Mr. Clement of Rochester explained the bill.

The motion was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the Rules be further suspended as to place HB 651 on third reading and final passage by title only at the present time.

The motion was adopted.

### Third Reading

HB 651, providing for an additional appropriation for the expenses of the legislature, was read a third time, passed, and sent to the Senate for concurrence.

### Committee Reports

HB 386, increasing the tax on tobacco, Mr. Kearns of Manchester for Ways and Means. Majority, Inexpedient to legislate. Minority, Ought to pass with amendment.

### Amendment to HB 386

Amend the bill by inserting after section 2 a new section as follows:

3 Temporary Provisions. The director of the division of tobacco products is hereby authorized and empowered to require from tobacco products tax licenses a report of all tobacco products or tobacco products tax indicia on hand or in stock whenever deemed necessary for the purpose of collecting the additional tax imposed so far as applicable to tobacco products in the possession of such licensees at the time this act takes effect. He may prescribe such reasonable methods and manner by which such licensees shall pay the additional taxes required in order to conform with this law. The provisions of RSA 78:14 are hereby suspended for such length of time as will enable said licensees to dispose of such tobacco products as they have on hand and in stock on the date this law takes effect provided, however, that the additional tax imposed by this act has been paid. Any license may be revoked by the director of tobacco products for failure to comply with the provisions of this section.

Amend section 3 by striking out the figure "1" and inserting in place thereof the figure, 29, so that said section as amended shall read as follows:

3 Takes Effect. This act shall take effect July 29, 1963.

Further amend the bill by renumbering section 3 to read section 4.

\* \* \*

Arthur H. McAllister  
Daniel Brocklebank  
Stuart Hancock  
Laurence A. Bevan

A minority of the Committee

\* \* \*

Mr. Peterson of Peterborough moved that HB 386 be Indefinitely Postponed and spoke in favor of the motion.

(discussion ensued)

Messrs. Kearns of Manchester, Clement of Rochester, Stafford of Laconia and Mahoney of Manchester spoke in favor of the motion.

Messrs. Kimball of Manchester, Goodhue of Gilford, Pappagianis of Nashua and McMeekin of Haverhill spoke against the motion.

On a *viva voce* vote the Chair was in doubt and requested a division vote.

The division vote being manifestly in the affirmative the motion to indefinitely postpone prevailed.

Miss Cole of Nashua demanded the Yeas and Nays but subsequently withdrew her request.

Mr. Goodhue of Gilford demanded the Yeas and Nays and the roll was called as follows:

Yeas — 240

BELKNAP COUNTY: Uhlenberg, Lacaille, McCarthy, Normandin, Head, Prescott, Hayner, O'Shan, Howe.

CARROLL COUNTY: Howard, Hughes, Hill, Roberts, Blanchard, Diffenderfer, Brown of Sandwich, Remick, Fox, Chamberlain of Wolfeboro, Claffin.

MERRIMACK COUNTY: Guilbeault, Fairbanks, LaFlamme, York, Bingham, Ferguson of Concord, Maxham, Rufo, McKay, Stevens, Gilman, Charland, Dempsey, LaFond, Lambert, Plourde, Tarrant.

HILLSBOROUGH COUNTY: Bragdon, VanLoan, Wiggin, Farwell, Whitney, Barnard, Bartlett, Pickering, Bednar, Claveau, Gallagher, Provencal, Legallee, Warren, Feldman, Lang, Pettigrew, Soucy, Conover, Geisel, Goode, Mahony of Manchester, Ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, Ward 4, McDermott, Clancy of Manchester, Ward 5, Manning, Walsh, Casey, Clancy of Manchester, Ward 6, Doherty, Dupont, Healy, O'Conner, LaFrance, Martel, Tessier, Champagne, Delisle, Moran, Wade, O'Gara, Boettcher, Belanger, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises,



Gauthier, Rousseau, Grady, Vachon, Cobleigh, Underhill, Dionne of Nashua, Ward 2, Thibault, Belcourt, Trombly of Nashua, Sullivan, Maynard, Pappagianis, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Latour, Lavallee, Sablusi, Desmarais of Nashua, Du-mais, Garland, Peabody, Peterson.

CHESHIRE COUNTY: Totman, Gowing, Desmarais of Jaffrey, Keating, Pratt, Heald of Keene, Bennett of Keene, Russell, Forbes, Bennett of Richmond, Allen of Rindge, Abare, Ballam, Wildey.

SULLIVAN COUNTY: Frizzell, Gaffney, Nahill, D'Amante, Weber, Spanos, Hood.

GRAFTON COUNTY: Stevenson, Goodfellow, Johnson of Hanover, Low, Hampson, Beard, Coutermarsh, Demers, Whipple, McGee, Kelley of Littleton, Cushman, Anderson of Warren, Berringer.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Marsh, Nash, Graham, Bushey, Arsenault, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Underwood, Watts, Gay, Kimball of Derry, Scott, Collishaw, Eastman of Exeter, Weeks, Spollett, Merrill, Palmer of Kensington, Clark of Kingston, Shepard, McDonough, Sewall, Twardus, Cheney, Carter, Pinkham, Palmer of Plaistow, Schwaner, Murch, Stafford of Portsmouth, Sadler, Osborn, Frink, Legasse, Langford, Greene of Rye, Canty, Grant, Morrill, Peever, Felch, Barker.

STRAFFORD COUNTY: Berry, Blanchette, Nelson, Grimes, Hemon, Fellows, Smith of Dover, Colbath, Richardson, Bevan, Drew, Canney, Dawson, Moulton, Rolfe, Hartigan, Marsan, Dumont of Rochester, Rubins, St. Pierre, Chase, Johnson of Rochester, Clement, Varney, Maloomian, Cormier, Hebert.

#### Nays — 115

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Harkins, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn.

CARROLL COUNTY: Davis of Conway, Blake.

MERRIMACK COUNTY: Phelps, Hanson, Moore, Hutchinson, Upton, Henry, Dame of Concord, Hancock, Smith of Concord, Andersen of Concord, MacDonald, Sanders, Gove, Newell of Concord, Welch, Kelley of Franklin, Doon, Reddy, Brown of Loudon, London, Robinson, Bigelow.

HILLSBOROUGH COUNTY: Martin of Goffstown, Davis of Greenfield, Taft, Eaton, Brocklebank, Ainley, Kimball of Manchester, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cole, Cooper, Dubois, Todd, Karnis, Eastman of Weare, Heald of Wilton.

CHESHIRE COUNTY: O'Neil, Watkinson, Stearns, Cournoyer, Pollock, Shea of Keene, Ward 2, Belletete, Faulkner, Pickett, Oliver, Bouvier, Hackler, Smith of Walpole, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Cann, Campbell, Barrows, Guest, Marx, Bailey, Downing, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Grey, Bowles, Morse, Nettleton, Hayward of Hanover, Larty, McMeekin, Adams, Lewis, Brummer, Allard of Littleton, Martin of Littleton, Bell, Smith of Plymouth, Barney, Bean.

COOS COUNTY: Connolly, Sherman, Shute, Fogg, Potter, Stinson.

ROCKINGHAM COUNTY: Cummings, Wheeler, Wylie, Keefe, Chandler, White of Portsmouth, Coussoule, Young, Morrison, Herbert.

STRAFFORD COUNTY: Leighton, Crouch, Clark of Lee, Adams of Madbury, Green of Rollinsford, Bennett of Strafford.

and the motion to indefinitely postpone HB 386 prevailed.

SB 50, relative to the act establishing the New Hampshire port authority, Mr. Ring of Hampton for Appropriations. Ought to pass.

The bill was ordered to a third reading.

SB 86, to extend the powers of the industrial park authority, Mr. Gove of Concord for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HJR 19, providing funds for completion of forest conservation aid and special aid to heavily timbered towns payments, Mr. Gove of Concord for Appropriations. Ought to pass.

The House Joint Resolution was ordered to a third reading.

HB 398, relative to policemen's retirement system, Mr. Fellows of Dover for Appropriations. Ought to pass with amendment.

### **Amendment to HB 398**

Amend said bill by striking out in section 4 the words "regardless of his then attained age" in the 9th line and inserting in place thereof the words, after having attained the age of fifty years, so that said section will read as follows:

4 Twenty-five Years Service. Amend RSA 103:12 (supp) as amended by 1957, 50:3, 189:2 and 1961, 191:3 by striking out said section and inserting in place thereof the following: 103:12 Retirement. Any permanent policeman who accepts the provisions of this chapter may retire from active service after serving as a permanent policeman for a period of twenty-five continuous years, after having attained the age of fifty years, or after reaching the age of sixty-five regardless of his period of service as a permanent policeman. All permanent policemen who accept the provisions hereof and who have served as permanent policemen for twenty-five continuous years shall retire from active service at the age of seventy. Any permanent policeman accepting the provisions hereof who shall be dismissed from service after having served as a permanent policeman for a period of twenty-five continuous years, regardless of his then attained age, or after reaching the age of sixty-five regardless of his period of service as a permanent policeman, shall be entitled to the benefits of this chapter. Upon retirement a permanent policeman shall no longer be obligated to pay assessments to the retirement fund. The board may, if it deems proper, in a case of a break in a policeman's continuous service of not more than three years, construe as a period of continuous service the total service of such policeman, by adding his service before the break to his service after the break.

Amend section 9 of said bill by striking out the words "two hundred seventy-five thousand five hundred and sixty dollars"

in the 4th line and inserting in place thereof the words, ninety-four thousand, four hundred and fifty-seven dollars, so that said section will read as follows:

9 Appropriation. For the purpose of paying the state's share for the policemen's retirement system for the fiscal year ending June 30, 1964, there is hereby appropriated the sum of ninety-four thousand, four hundred and fifty-seven dollars, and a like sum is hereby appropriated for the fiscal year ending June 30, 1965. The sums hereby appropriated shall be a charge upon the funds of the state as provided in RSA 103:10 as hereinbefore amended.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 317, providing additional retirement allowances for certain retired teachers, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

### **Amendment to HB 317**

Amend section 2 by striking out the words "eighty-nine thousand, three hundred and seven dollars" in the 4th line and inserting in place thereof the words, seventy-six thousand, three hundred and thirty-one dollars; and by striking out the words "eighty-nine thousand, three hundred and seven dollars" in the 6th line and inserting in place thereof the words, seventy-six thousand, three hundred and thirty-one dollars, so that said section is amended to read as follows:

2 Appropriation. In order to provide funds for the payment of the supplemental allowances provided under RSA 192:24 as hereinbefore inserted, the sum of seventy-six thousand, three hundred and thirty-one dollars is hereby appropriated for the fiscal year ending June 30, 1964 and the sum of seventy-six thousand, three hundred and thirty-one dollars is hereby appropriated for the fiscal year ending June 30, 1965. The first sum herein mentioned shall be expended by the teachers' retirement system for the payment of supplemental benefits for the period from January 1, 1964 to June 30, 1964, and the second sum herein mentioned shall be expended by said system for the payment of supplemental benefits for the period from July 1, 1964 to December 31, 1964. The governor

is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HJR 11, providing an appropriation for the Civil War Centennial Commission, Mrs. Hartigan of Rochester for Appropriations. Ought to pass with amendment.

### **Amendment to HJR 11**

Amend joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of twenty-five hundred dollars is hereby appropriated to be expended by the civil war centennial commission established by Laws 1959, chapter 160. The appropriation hereunder shall be a continuing appropriation and any balance remaining on July 1, 1965 shall lapse. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the House Joint Resolution was ordered to a third reading.

HB 427, to provide per diem for members of the aeronautics commission, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

### **Amendment to HB 427**

Amend said bill by striking out in section 1 the word "twenty-five" in the second line and inserting in place thereof the word, twenty, so that said section will read as follows:

1 Amend RSA 422:5 by striking out the same and inserting in place thereof the following: 422:5 Compensation. Each member of the commission may be paid twenty dollars for each day or portion thereof spent in attendance at monthly meetings held at times set by the commission. Each member of the commission may be paid for necessary expenses of travel incurred

in performance of commission duties. The provisions of this section shall not set a limit upon the number of special meetings which the commission or the director may call.

Amend section 2 of said bill by striking out the word "five" in the first line and inserting in place thereof the word, two, so that said section will read as follows:

2 Appropriation. The sum of two thousand dollars, in addition to any money appropriated for the use of the aeronautics commission for the biennium ending July 1, 1965 is hereby appropriated for the purpose of this act. The governor is hereby authorized to draw his warrant for the sum appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 64, relative to funds for the state nursing scholarship program, Mr. Dumont of Berlin for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 64**

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Appropriation. The sum of fifty thousand dollars is hereby appropriated for the biennium ending June 30, 1965 for the purpose of providing funds to carry out the provisions of RSA 326:30, 31 and 32. The sum hereby appropriated shall be available as of July 1, 1963, and the Governor is authorized to draw his warrant for the said sum out of any money in the treasury not otherwise appropriated. To provide for the cost of administering the total program a sum be deducted from the total amount appropriated for the state nursing scholarship program, this sum not to exceed \$500 for each year. Said sums to be expended by the state board of nursing education and nursing registration to defray the expense of administration of the program for state aid for nursing education.

\* \* \*

At the request of Mrs. Schwaner of Plaistow, Mrs. Brown of Sandwich explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HB 586, extending the time when expenditures can be made from certain aeronautical appropriations, Mr. Blake of Madison for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 586**

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 593, relative to legal assistance for land acquisitions, Mr. Shepard of Londonderry for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 593**

Amend said bill by striking out section 4; and further amend said bill by renumbering section 5 to read section 4.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 510, relative to study for improved pesticides controls, Mr. Gove of Concord for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 510**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Interim Committee Established. There shall be established an interim committee on improved pesticides controls consisting of five members appointed as hereinafter provided. One member shall be appointed by the president of the senate, one member shall be appointed by the speaker of the house of representatives, and three members shall be appointed by the governor, one of whom shall be a person employed by the water

pollution commission, one a person employed by the fish and game department and one shall be the state entomologist. The committee shall organize by electing one of its members as chairman. It shall be the duty of said committee to study and investigate how to improve pesticides controls, and said committee shall file progress reports quarterly with the legislative budget assistant and a final report of its activities not later than December 1, 1964 which report shall include recommendations for legislation designed to improve in pesticides controls. The committee is hereby authorized to accept and apply to the purposes hereof gifts and grants from any person or association, public or private, made for the purpose of aiding such study and investigation.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 605, relative to delinquent corporations, Mrs. Gagnon of Berlin for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 532, relative to classification of temporary and seasonal state employees, Mr. Allan of Meredith for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 601, relating to the counting of votes at biennial elections, Mr. Morse of Enfield for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

HB 615, relative to purchase of supplies by the department of resources and economic development, Mr. McMeekin of Haverhill for Executive Departments and Administration. Ought to pass with amendment.

### Amendment to HB 615

Amend section 1 by inserting after the word "development" in the eighth line the words, items for resale may be purchased in accordance with RSA 8:25, VI. All operating supplies and materials shall be purchased through the director of purchase



and property; further amend section 1 by inserting after the word "account" in the tenth line the words, established upon recommendation of the comptroller and approved by the governor and council, so that said section as amended shall read as follows:

1 Resources and Economic Development. Amend RSA 219:21 by striking out said section and inserting in place thereof the following: 219:21 Purchases. The commissioner of resources and economic development may purchase such merchandise for resale and such operating supplies and materials as may be necessary for the operation of the department of resources and economic development. Items for resale may be purchased in accordance with RSA 8:25, VI. All operating supplies and materials shall be purchased through the director of purchase and property. Such purchases shall be a charge upon an inventory account established upon recommendation of the comptroller and approved by the governor and council. The commissioner shall report monthly to the comptroller the value of issues out of inventory and the appropriation account to be charged therefor. The inventory account shall be credited with issues out of inventory. Such purchases shall be a charge upon an inventory account maintained in the office of the comptroller and the state treasurer, upon presentation by the comptroller of manifests covering such merchandise, supplies and materials, is authorized to pay the same from any money in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 611, relative to contested elections, Mr. York of Concord for Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to HB 611**

Amend section 1 by inserting after the word "mail" in the eighth line the words, return receipt requested, so that said section as amended shall read as follows:

1 Contested Elections. Amend RSA 67:1 by striking out said section and inserting in place thereof the following: 67:1 Notice. Whenever any person intends to contest the election of

a senator or a representative he shall give to him a notice in writing of such contest, with the reasons thereof. Said notice shall be given by certified mail, return receipt requested, post-marked on or before December fifteenth next following the election. At the time the notice is given to the senator or representative a copy thereof shall be forwarded to the secretary of state.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 13, amending the statute relative to taking of fisher, Mr. Welch of Concord for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 95, providing an open season for fisher in Carroll county. Mr. Gilman of Franklin for Fish and Game. Inexpedient to legislate.

The resolution was adopted.

SB 112, relative to Pittsfield Dam acquisition, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

SB 45, to provide special rates for residents at state-owned ski facilities, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

#### **Amendment to SB 45**

Amend said bill by inserting after section 1 the following new section:

2 Committee Established. There is hereby established a five-member interim committee consisting of three members of the house, to be appointed by the speaker, one member of the senate, to be appointed by the president, and one member to be appointed by the governor. Said committee is hereby directed to conduct a study of state operations at Cannon Mountain in Franconia Notch and at Sunapee state park. Said committee shall report its findings to the 1965 session of the general court together with any recommendations it may have relative to said operations.

Further amend said bill by renumbering section 2 to be section 3.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 357, establishing a charter for the city of Manchester, Mrs. Ainley of Manchester for the Manchester Delegation. Ought to pass with amendment.

### Amendment to HB 357

Amend section 44 by striking out the words "An ordinance" in the first line and inserting in place thereof the words, A resolution, and by striking out paragraph (g) and inserting in place thereof the words, an ordinance shall be required for any act which establishes a fine or other penalty, so that said section as amended shall read as follows:

44 Requirements. A resolution shall be required for every act of the board, the purpose of which is:

- (a) To levy any tax;
- (b) To make any appropriations;
- (c) To authorize the borrowing of money;
- (d) To grant a privilege or franchise;
- (e) To sell or lease real property of the city;
- (f) To fix compensation.

An ordinance shall be required for any act which establishes a fine or other penalty.

Amend section 49 by striking out the words "three members" in the fourth line and inserting in place thereof the word, member, so that said section as amended shall read as follows:

49 Roll Call. A vote upon any ordinance shall be by roll call and entered on the record of proceedings. A vote by roll call shall be taken on any other matter at the request of any member.

Amend section 62 by striking out said section and inserting in place thereof the following:

62 City Solicitor. The board of aldermen shall by ballot elect a city solicitor to serve for two years. He shall be removable for cause by the board.

Amend section 64 by inserting after the word "laws" in the fifth line the words, and he may request the board of aldermen for such assistance as he deems necessary, so that said section as amended shall read as follows:

64 Codification of Ordinances. The city solicitor shall supervise and maintain a codification of the ordinances of the city of a substantive character which are appropriate for continuation as local laws and he may request the board of aldermen for such assistance as he deems necessary, but the original copies of all ordinances shall remain in the office of the city clerk during such codification.

Amend section 73 of the bill by inserting after the word "mayor" in the third line the words, subject to the approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 73 Department. There shall be a finance department, the head of which shall be the finance director who shall be appointed by the mayor subject to the approval of the board of mayor and aldermen. This appointment shall not be subject to merit rating and the finance director shall not have civil service status.

Further amend the bill by striking out section 76.

Amend section 79 of the bill by striking out at the end of said section the words "finance director with the advice of the mayor" and inserting in place thereof the words, mayor with the advice of the finance director and approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 79 Treasurer. There shall be in the department of finance a city treasurer who shall be appointed by the mayor with the advice of the finance director and approval of the board of mayor and aldermen.

Amend the first sentence of section 82 by striking out in the third and fourth lines the words "finance director with the advice of the mayor" and inserting in place thereof the words, mayor with the advice of the finance director and approval of the board of mayor and aldermen, so that said sentence as amended shall read as follows: 82 Tax Collector. There shall be within the office of the city treasurer a city tax collector who shall be appointed by the mayor with the advice of the finance director and approval of the board of mayor and aldermen. It shall be his duty to collect taxes within the city of every nature

whatsoever. The tax collector shall also be the custodian of deeded property owned by the city. Upon collection of all taxes belonging to the city, he shall deliver the same to the city treasurer for deposit in accordance with the provisions of this article.

Amend section 126 of the bill by striking out in the third line the words "and without" so that said section as amended shall read as follows: 126 Audit. Within three months after the beginning of each fiscal year, the board of aldermen by resolution, requiring competitive bidding, shall arrange for an annual independent audit of the books, accounts and other evidences of financial transactions of the city, as of the close of the fiscal year, to be conducted either by state auditors or a certified public accountant holding a certificate from this state and having no personal interest therein. Such examination shall conform with generally accepted auditing standards and shall include all procedures necessary for the auditors to express an informed opinion of the financial practices and accounts. A copy of the audit report shall be filed with the city clerk and shall be a public record.

Amend section 139 of the bill by adding at the end thereof the words, and approval of the board of mayor and aldermen, so that said section as amended shall read as follows:

139 Purchasing Agent. There shall be in the department of finance a city purchasing agent who shall be appointed by the finance director with the advice of the mayor and approval of the board of mayor and aldermen.

Amend section 142 of the bill by striking out in the third and fourth lines the words "one thousand" and inserting in place thereof the words, three hundred, so that said section as amended shall read as follows: 142 Limitation. The city purchasing agent shall have authority to make purchases on behalf of the city in an amount not exceeding three hundred dollars at the best price obtainable but without formal bids.

Amend section 143 of the bill by striking out the words "one thousand" in the first and second lines and inserting in place thereof the words, three hundred and by striking out the word "two" in the second line and inserting in place thereof the word, one; further amend said section by striking out the words "specification and" in the third line so that said section as amended shall read as follows: 143 Bids. Any purchase in excess of three

hundred dollars but not more than one thousand dollars shall be by written bids, and wherever possible at least three bids shall be obtained for each purchase.

Amend section 144 of the bill by striking out the word "two" in the second line and inserting in place thereof the word, one, so that said section as amended shall read as follows: 144 Notice. All purchases or contracts in excess of one thousand dollars shall be made only upon written specifications after public notice and competition. Sealed bids shall be opened publicly in the presence of the mayor or an official designated by him.

Amend section 148 of the bill by adding at the end thereof the words, with approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 148 Department. There shall be a department of development, the head of which shall be the director of development, appointed by the mayor with the approval of the board of mayor and aldermen.

Amend section 153 of the bill by striking out the words "approval of the mayor" and inserting in place thereof the words, advice of the mayor and approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 153 Planning Director. The planning board, with the advice of the mayor and approval of the board of mayor and aldermen, shall appoint a planning director for the city. The planning director shall be the administrative head of the planning department and shall work under the supervision of the planning board and in cooperation with the director of development and the industrial agent.

Amend section 159 of the bill by striking out the words "approval of the mayor" in the second line and inserting in place thereof the words, advice of the mayor and approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 159 Industrial Agent. The industrial council, with the advice of the mayor and approval of the board of mayor and aldermen, shall appoint an industrial agent for the city of Manchester, who shall be the administrative head of the industrial division of the department of development. He shall be responsible for promoting and encouraging the welfare of local industries and the establishment of new industries in metropolitan Manchester. He shall be qualified by education or experience in the field of industrial development.

Amend section 160 of the bill by striking out said section and inserting in place thereof the following: 160 Housing Authority. The housing authority created in the city of Manchester by the provisions of RSA 203 and transacting its business and exercising its powers under the name "Manchester Housing Authority" shall participate, ex officio, as a part of the department of development to coordinate the undertakings of the Manchester housing authority and the city of Manchester in the redevelopment and low rent housing programs but there shall be no change in corporate status, membership, functions and powers of the said Manchester housing authority.

Amend section 167 of the bill by striking out the words "approval of the mayor" in the second line and inserting in place thereof the words, advice of the mayor and approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 167 Airport Manager. The Manchester airport authority, with the advice of the mayor and approval of the board of mayor and aldermen, shall appoint an airport manager who shall be the administrative and operating head of the facilities coming under the jurisdiction of the Manchester airport authority. He shall have such duties as shall be given to him by the Manchester airport authority.

Amend section 172 of the bill by adding at the end thereof the words, subject to the approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 172 Director. The head of the department shall be known as the director of public works, who shall be qualified by education or experience in the field of public works. He shall be appointed by the mayor, subject to the approval of the board of mayor and aldermen.

Amend the first paragraph of section 173 of the bill by inserting after the word "director" in the second line the words, with the advice of the mayor and subject to the approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 173 Assistants. Subject to confirmation by the mayor, the director, with the advice of the mayor and subject to the approval of the board of mayor and aldermen, shall appoint assistants to administer the various divisions of the departments, including but not limited to the following:

Amend section 178 of the bill by adding at the end thereof the words, the mayor shall be an ex officio member of the board

of water commissioners, so that said section as amended shall read as follows: 178 Appointment. The board of water commissioners shall consist of six members appointed for terms of six years each, one member to be appointed each year by the mayor, subject to confirmation by the board of aldermen. The board of water commissioners shall select annually from among their members a chairman and a clerk. The mayor shall be an ex officio member of the board of water commissioners.

Amend section 190 of the bill by adding at the end thereof the words, with the advice of the mayor and approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 190 Division. There shall be in the finance department a personnel division, the head of which shall be the personnel director who shall be appointed by the finance director with the advice of the mayor and approval of the board of mayor and aldermen.

Amend section 200 of the bill by inserting after the word "mayor" in the third line the words, with the approval of the board of mayor and aldermen, so that said section as amended shall read as follows: 200 Department. There shall be a department of public health, the head of which shall be the director of health appointed by the mayor with the approval of the board of mayor and aldermen. The director shall be a physician licensed by the state to practice medicine, trained by experience or education in the field of public health and sanitation.

Amend section 204 of the bill by striking out said section and inserting in place thereof the following: 204 Department. The head of the department of public welfare shall be the director of public welfare elected at the biennial municipal election. He shall have all the powers and duties conferred upon overseers of the poor by the state laws and shall administer and direct all public welfare programs created by statute or ordinance. The director may employ all necessary agents and assistants.

Amend section 229 of the bill by striking out the figures "1965" in the fourth line and inserting in place thereof the figures, 1963, so that said section as amended shall read as follows: 229 Biennial Election. The municipal election of said city for the choice of city and ward officers shall be held on the first Tuesday after the first Monday in November 1963 and bien-



nially thereafter, and all such officers who are chosen by the people shall hold their respective offices for two years from the first Tuesday of January next following, and until others are chosen and qualified in their stead.

Amend section 235 of the bill by striking out in the fourth and fifth lines the word and figures "September, 1965" and inserting in place thereof the word and figures, October, 1963, so that said section as amended shall read as follows: 235 Municipal Primary. A primary conducted by the regular election officers shall be held at the regular polling places in each ward in the city of Manchester on the second Tuesday of October, 1963, and biennially thereafter, for the nomination of all candidates to be voted for at the biennial municipal election held in November, except members of the school committee.

Amend section 266 of the bill by striking out said section and inserting in place thereof the following: 266 First Election Under New Charter. In the event that this charter shall be adopted by the voters of Manchester pursuant to section 276 of this act, the officers elected under the provisions of the present charter and laws pertaining to elections in the city of Manchester shall take office in January, 1964 as officers under this charter, provided, however, that the commissioner of welfare elected at the biennial election in November, 1963 shall automatically become the director of public welfare provided for in section 204 of this act without the necessity of any appointment by the mayor or confirmation by the aldermen. Said commissioner of welfare so elected shall hold office for a period of two years from January of 1964. Thereafter the director of public welfare shall be appointed pursuant to the provisions of section 204 of this act.

Amend section 276 of the bill by striking out said section and inserting in place thereof the following: 276 Referendum. This charter shall not take effect unless it is adopted by a majority vote at the regular municipal election held in the city of Manchester on November 8, 1963, as hereinafter provided. The city clerk then in office shall cause to be placed at the bottom of the regular election ballot for city officers the following question: "Shall the provisions of an act entitled 'An Act establishing a charter for the city of Manchester,' passed at the 1963 session of the legislature, be adopted?" Beneath this question shall be printed the word "Yes" and the word "No" with a square imme-

diately opposite each word, in which the voter may indicate his choice.

The referendum relative to the adoption of this charter shall be conducted in every way, except as otherwise herein provided, in the same manner as the election of candidates for officers under the present charter. If a majority of those present and voting at said election vote in the affirmative on this question, this act shall be declared to have been adopted.

Amend section 277 of the bill by striking out the same and inserting in place thereof the following: 277 Takes Effect. Sections 266 and 276 of this act shall take effect upon its passage, and if the act shall be adopted at the election of November 8, 1963 the remainder of this act shall take effect on the first Tuesday of January, 1964.

\* \* \*

Mr. Capistran of Manchester offered the following amendment to the amendment and moved its adoption.

#### **Amendment to Amendment to HB 357**

Amend section 266 of the bill by striking out all after the word "charter" in the eighth line, so that said section as amended shall read as follows:

266 First Election under New Charter. In the event that this charter shall be adopted by the voters of Manchester pursuant to section 276 of this act, the officers elected under the provisions of the present charter and laws pertaining to elections in the city of Manchester shall take office in January, 1964 as officers under this charter.

\* \* \*

The Clerk read the amendment in full.

Mr. Capistran explained the amendment.

(discussion ensued)

Mr. Healy of Manchester moved that further consideration of HB 357 be Indefinitely Postponed and spoke in favor of the motion.

Messrs. Kimball and Conover of Manchester spoke against the motion.

Mr. Geisel of Manchester spoke in favor of the motion.

Mr. Kearns of Manchester spoke against the motion.

(discussion ensued)

On a *viva voce* vote the motion to indefinitely postpone was lost.

Mr. Healy of Manchester requested a division.

The division vote being manifestly in the negative the motion to indefinitely postpone HB 357 was lost.

The question now being on the amendment to the amendment.

The amendment to the amendment was adopted.

The question now being on the adoption of the committee amendment as amended.

The amendment as amended was adopted and the bill was ordered to a third reading.

HB 367, providing salary for the register of deeds for Rockingham County, Mrs. Weeks of Greenland for the Rockingham County Delegation. Ought to pass with amendment.

#### **Amendment to HB 367**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salary of, and amount of fees to be collected by, the register of deeds for Rockingham County.

Amend the paragraph numbered 478:19 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

478:19 Salary. The register of deeds for Rockingham county shall receive an annual salary of eight thousand five hundred dollars paid by the county of Rockingham.

Amend the paragraph numbered 478:21 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

478:21 Assistants. Subject to the approval of a majority of the county commissioners the said register of deeds is authorized to employ such assistants as may be required and fix their compensation. The salaries of such assistants and any other expenses of the office of said register of deeds shall be paid by the county of Rockingham.

Amend said bill by striking out all after section 1 and inserting in place thereof the following:

2 Rockingham County. Amend RSA 478 by inserting after section 17 the following new section: 478:17-a Fees. The register of deeds for the county of Rockingham shall charge the following fees for documents recorded in, or services rendered by, his office;

I. For recording deeds and mortgages three dollars for each recorded page plus two dollars for each additional recorded page; provided that if the deed or other document contains the names of more than one grantor and one grantee an additional fee of fifty cents shall be charged for indexing the names of each additional grantor or grantee.

II. For recording real estate attachment or discharge of real estate attachment or discharge of real estate mortgage, two dollars.

III. For examining the records at the request of any person, one dollar for each hour spent therein.

IV. For each transfer furnished pursuant to sections 14 and 15, twenty cents.

V. For recording plans, five dollars for the first two hundred square inches thereof with one dollar for each additional one hundred square inches or part thereof.

VI. For copying any document, one dollar per page.

3 Application of Statutes. The provisions of RSA 478:17 relative to fees for register of deeds and the provisions of RSA 511:6 relative to the amount of the fee to be paid to the register of deeds shall not apply to the register of deeds for Rockingham county.

4 Takes Effect. This act shall take effect as of July 1, 1963.

The amendment was adopted and the bill was ordered to a third reading.

HB 490, relative to renumbering the Rockingham county commissioner districts, Mrs. Weeks of Greenland for Rockingham County Delegation. Inexpedient to legislate.

The resolution was adopted.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Bill No. 248, requiring certain marking for so-called native farm products, having considered the same, report the same with the recommendation that the house recede from its position of nonconcurrence and concur with the senate amendment.

Charles P. Hayward  
Russell E. Underwood  
Albina S. Martel

Conferees on the Part of the House

Lester F. Mitchell  
Louis P. Chasse

Conferees on the Part of the Senate

The report was adopted.

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 449, relative to on-sale and off-sale permits for alcoholic beverages.

### **Amendment to HB 449**

Amend the bill by inserting after section 2 the following new section. 3 Off-Sale Permits. Amend RSA 176:11, as amended by 1963, 50, by inserting after the word "licenses" in the sixth line of chapter 50 laws of 1963 the words, or permits, and

by inserting after the figure "9" in said sixth line the letters and figures, RSA 181:5, so that said section as amended shall read as follows: 176:11 Rules and Regulations; Restrictions on Sales. Said Commission shall have power to make all necessary and proper rules and regulations for carrying out the provisions hereof, and such rules and regulations shall have the effect of law. No sale of liquor or beverages shall be made on Sundays or election days while the polls are open except by persons holding licenses or permits under the provisions of RSA 178:3, 4, 6, 7, 9, RSA 181:5, provided that persons holding licenses under the provisions of RSA 178:3 when making sales of beverages on Sundays or election days while the polls are open shall sell only to bona fide guests with meals in the dining room or in the rooms of the guests and except that a wholesale permittee may sell and deliver beverages at any time on election days for resale only. Liquor or beverages shall not be sold in any establishment where booths that are not open at the end or that are more than forty-two inches high are used for serving patrons. Costumers may be erected and attached to the ends of booths. Such costumers shall be of such design and constructed in such manner as approved by the commission.

Further amend the bill by striking out section 3 and inserting in place thereof the following: 4 Takes Effect. This act shall take effect upon its passage.

Amend the title of the bill by inserting after the word "on-sale" the words, and off-sale, so that said title as amended shall read as follows: An Act relative to on-sale and off-sale permits for alcoholic beverages.

\* \* \*

On motion of Mr. Nahil of Claremont, reading of the amendment was dispensed with.

Mr. Nahil explained the amendment.

Mrs. Frizzell of Charlestown moved that the House non-concur in the Senate amendment and spoke in favor of the motion.

Mr. Nahil of Claremont moved that the House concur in the Senate amendment.

(discussion ensued)

Mrs. Frizzell of Charlestown spoke against the motion.

The House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 351, relative to vehicles of non-residents not regularly used on highways.

#### **Amendment to HB 351**

Amend section 1 of said bill by striking out the figure "260:35" in the third line and inserting in place thereof the figure, 260:36.

Further amend section 1 of said bill by striking out the word "county" in the eighteenth line and inserting in place thereof the word, country.

\* \* \*

On motion of Mr. Claffin of Wolfeboro the House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed bills and a joint resolution with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 100, relating to the practice of accountancy.

SB 82, establishing a council of resources and development.

SJR 11, in favor of the New Hampshire Savings Bank and the SPD Realty Corporation.

#### **Introduction of a Senate Joint Resolution and Senate Bills**

The following Senate Joint Resolution and Senate bills were read a first and second time and referred as follows:

SJR 11, in favor of the New Hampshire Savings Bank and the SPD Realty Corporation, to Banks.

SB 100, relating to the practice of accountancy, to Executive Departments and Administration.

SB 82, establishing a council of resources and development, to Resources, Recreation and Development.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 30, providing for the development and redevelopment of areas of vacant or predominantly vacant land which are sub-standard or blighted.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 222, relative to reporting certain shortages of funds.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 332, relative to the practice of dentistry and registration provisions.

HB 297, authorizing counties to provide life and health insurance for their employees.

HB 350, relative to legislative attaches.

HB 538, relating to the subdivision of land.

HB 575, relative to ranks and qualifications of personnel of division of state police.

\* \* \*

On motion of Mr. Pickett of Keene, HB 265, to provide funds for the preparation of property maps, was taken from the table.

Mr. Pickett of Keene moved that HB 265 be referred to the Legislative Council or Legislative Services Committee.

The motion was adopted.

\* \* \*

The Chair announced that today is the 43rd wedding anniversary of Mr. & Mrs. George Lang of Manchester, Ward 1.

\* \* \*

On motion of Mr. Brummer of Lisbon the reference whereby HB 650, relative to the Lisbon village district, was referred



to Executive Departments and Administration, was vacated and the bill was referred to Municipal and County Government.

### Reconsideration

Mr. Pickett of Keene, having voted with the majority, moved that the House reconsider its vote whereby it concurred in the Senate amendment to HB 449, relative to on-sale permits for alcoholic beverages, and spoke against the motion.

The motion was not adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### Afternoon Session

#### Third Readings

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 50, relative to the act establishing the New Hampshire port authority.

SB 86, to extend the powers of the industrial park authority.

SB 13, amending the statute relative to taking fisher.

SB 112, relative to Pittsfield Dam acquisition.

\* \* \*

SB 45, to provide special rates for residents at state-owned ski facilities, was read a third time and sent to the Senate for concurrence in the House amendment.

### Personal Privilege

Mr. Collishaw of Exeter rose on a point of personal privilege.

\* \* \*

**Third Readings (cont.)**

The following House Joint Resolutions and bills were read a third time, passed, and sent to the Senate for concurrence:

HJR 19, providing funds for completion of forest conservation aid to heavily timbered towns payments.

HB 398, relative to policemen's retirement system.

HB 317, providing additional retirement allowances for certain retired teachers.

HJR 11, providing an appropriation for the Civil War Centennial Commission.

HB 427, to provide per diem for members of the aeronautics commission.

HB 64, relative to funds for the state nursing scholarship program.

HB 586, extending the time when expenditures can be made from certain aeronautical appropriations.

HB 593, relative to legal assistance for land acquisitions.

HB 510, relative to study for improved pesticides controls.

HB 605, relative to delinquent corporations.

HB 532, relative to classification of temporary and seasonal state employees.

HB 601, relating to the counting of votes at biennial elections.

HB 611, relative to contested elections.

HB 357, establishing a charter for the city of Manchester.

HB 367, relative to the salary of, and amount of fees to be collected by, the register of deeds for Rockingham county.

**Reconsideration**

Mr. Kearns of Manchester, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 357, establishing a charter for the city of Manchester, and spoke against the motion.

The motion was not adopted.

Mr. Goode of Manchester moved that the Rules of the House be so far suspended as to permit the introduction of Senate bills at the present time.

The motion was adopted.

### **Senate Message**

The Senate message announced that the Senate has passed bills and a joint resolution with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 46, relative to motor vehicle road tolls.

SB 92, relative to chiroprodists.

SB 85, enacting the interstate compact on motor vehicle safety equipment.

SB 113, relative to employing of minors.

SB 116, relative to fees for insurance companies and brokers.

SB 121, relative to the Nashua Airport Authority.

SJR 12, relative to deficiency appropriation for interim commission on Education.

### **Introduction of Senate Bills**

The following Senate bills and Senate Joint Resolution were read a first and second time and referred as follows:

SJR 12, relative to deficiency appropriation for interim commission on Education, to Appropriations.

SB 46, relative to motor vehicle road tolls, to Ways and Means.

SB 92, relative to chiroprodists, to Public Health.

SB 85, enacting the interstate compact on motor vehicle safety equipment, to Transportation.

SB 113, relative to employing of minors, to Liquor Laws.

SB 116, relative to fees for insurance companies and brokers, to Insurance.

SB 121, relative to the Nashua Airport Authority, to Claims and Aeronautics.

\* \* \*

On motion of Miss Bailey of Newport the House adjourned at 2:33 P.M.

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THURSDAY, JUNE 13, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, be Thou our guiding inspiration in our every moment of decision. May our thoughts be filled with love as we seek ways of service in the advancement of human dignity and betterment. Fill our lives this day with a divine sense of mission and purpose as we labor for the preservation of freedom and human rights. May we find strength and courage to resist selfish motivations in our efforts to establish a state and nation embracing the ideals of Thy promised Kingdom. Cleanse us from all unrighteousness that would hamper our devotion to duty — may our faithful service be worthy of the confidence of those whom we represent. Grant unto Thy servants the blessing of peace and prosperity, through Thy name we pray. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Plourde of Pembroke led the Convention in the Pledge of Allegiance to the Flag.

## House

### Introduction of Guests

The Chair introduced the following groups as guests of the House today.

A group of students from N. H. College of Accounting and Commerce of Manchester, courtesy of Mr. Plourde of Pembroke.

A group of students from the Jewett school in Manchester, courtesy of the Manchester Delegation.

A group of elementary school students from Freedom.

### Leave of Absence

Mr. Goodhue of Gilford was granted a leave of absence for the day on account of important business.

### Introduction of a Bill

The following bill was introduced, read a first and second time, and referred as follows:

HB 652, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation (Rules Committee — Pappagianis of Nashua and Peterson of Peterborough) to Labor.

### Committee Reports

HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard, Mr. Nettleton of Groton for Fish and Game. Ought to pass with amendment.

### Amendment to HB 539

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Hunting and Fishing Licenses. Amend RSA 214 by inserting after section 4 the following new section: 214:4-a Portsmouth Naval Activities. Personnel stationed at the U. S. Naval Shipyard at Kittery, Maine are eligible to purchase hunting and fishing, or hunting or fishing licenses at the same fee as is charged

a legal resident of the state. Such license shall have marked or stamped thereon the words "non-resident serviceman's license." Licenses under the provisions of this section shall be issued by an authorized agent under an affidavit or from the fish and game department. Personnel requesting such licenses shall give written proof, properly sworn to, that he or she is in fact stationed at said naval shipyard.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### Reconsideration

Mrs. Weeks of Greenland, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 367, relative to the salary of, and amount of fees to be collected by, the register of deeds for Rockingham county, and spoke against the motion.

The motion was not adopted.

### Committee Reports (cont.)

HB 472, relating to chemical test for intoxication, Mr. Healy of Manchester for the Majority of the Judiciary committee. Inexpedient to legislate.

HB 472, relating to chemical test for intoxication, Minority of the committee on Judiciary. Ought to pass with amendment.

### Amendment to HB 472

Amend RSA 262:20-a, as inserted by section 1 of the bill, by striking out the words "breath or urine" in the tenth and eleventh lines, so said section as amended shall read as follows:

262:20-a Implied Consent of Driver of Motor Vehicle to Submit to Chemical Testing to Determine Alcoholic Content of Blood. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent subject to the provisions of this subdivision to a chemical test or tests of his blood for the purpose of determining the alcoholic content of his blood. The test or tests shall be admin-

istered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor.

Amend RSA 262:20-b, as inserted by section 1 of the bill, by striking out the same and inserting in place thereof the following:

262:20-b Persons Qualified to Administer Tests. Only a physician, or a registered nurse acting at the request of a law enforcement officer may withdraw blood for purpose of determining the alcoholic content therein. Said physician or registered nurse shall in no way be liable or held to pay damages to the party to whom such test is administered for any act incidental to the test provided it is done with usual and ordinary care and provided that such test is administered at the direction of a law enforcement officer. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of the test or tests taken at the direction of a law enforcement officer. Upon the request of the person who is tested, full information concerning the test or tests taken at the direction of the law enforcement officer shall be made available to him.

William R. Johnson  
Martha McD. Frizzell  
Gilbert Upton  
Margaret A. Griffin  
Margaret Normandin  
James C. Bingham  
Edwin W. Eastman  
Caroline R. Gray  
Melvin H. Chandler  
Thomas Pryor

A Minority of the Committee

Mrs. Frizzell of Charlestown moved that the words, Ought to pass with amendment, be substituted for the words, Inexpedient to legislate.

Mr. Sherman of Lancaster moved that HB 472 be made a Special Order of business for Tuesday next at 11:01.

(discussion ensued)

Messrs. Johnson of Hanover and Kimball of Manchester spoke against the motion.

The motion was not adopted.

The question now being on the question to substitute, Ought to pass, for Inexpedient to legislate.

Mr. Johnson of Hanover spoke in favor of the motion.

(Mr. O'Neil of Chesterfield in the Chair)

(Speaker in the Chair)

Mr. Moran of Manchester moved that further consideration of HB 472 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Mr. Wildey of Westmoreland spoke in favor of the motion.

Mr. Upton of Concord spoke against the motion.

(discussion ensued)

Messrs. Stevenson of Bethlehem, Capistran and Healey of Manchester spoke in favor of the motion.

Mrs. Schwaner of Plaistow spoke against the motion.

Mrs. Frizzell of Charlestown spoke against the motion.

Mr. Spanos of Newport spoke in favor of the motion.

Mr. Pryor of Ashland moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to indefinitely postpone HB 472.

On a *viva voce* vote the Nays appeared to have it.

Mr. Upton of Concord demanded the Yeas and Nays and the roll was called as follows:



## Yeas — 178

MERRIMACK COUNTY: Guilbeault, Hanson, Asby, La-Flamme, Henry, Hancock, Smith of Concord, Andersen of Concord, MacDonald, Maxham, Welch, McKay, Dempsey, Doon, LaFond, Lambert, Brown of Loudon, Plourde, Robinson.

HILLSBOROUGH COUNTY: Farwell, Whitney, Barnard, Bartlett, Hambleton, Martin of Goffstown, Bednar, Claveau, Gallagher, Ainley, Lang, Pettigrew, Conover, Goode, Mahony of Manchester, Ward 2, Bruton, Cullity, McDermott, Clancy of Manchester, Ward 5, Manning, Walsh, Doherty, Healy, LaFrance, Martel, Tessier, Bernier, Champagne, Deslisle, Moran, O'Gara, Boettcher, Belanger, Kearns, Kendrigan, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Gamache, Tremblay of Manchester, Carter of Milford, Ferguson of Milford, Cooper, Dionne of Nashua, Ward 2, Belcourt, Maynard, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Dubois, Latour, Lavallee, Sablusi, Desmarais of Nashua, Dumais, Todd, Karnis, Garland, Peabody, Heald of Wilton.

CHESHIRE COUNTY: Totman, Watkinson, Turner, Cournoyer, Desmarais of Jaffrey, Pratt, Pollock, Belletete, Heald of Keene, Russell, Forbes, Bouvier, Ballam, Smith of Walpole, Wildey.

SULLIVAN COUNTY: Angus, Nahill, D'Amante, Downing, Spanos, Hood, Merrifield.

GRAFTON COUNTY: Stevenson, Bowles, Nettleton, McMeekin, Hampson, Demers, Anderson of Warren.

COOS COUNTY: Dubey, Roy, Sheridan, Connolly, Dumont of Berlin, Vashaw, Gagnon, Nash, Sherman, Bushey, Arsenault, Brooks, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Vey, Cummings, Gay, Scott, Spollett, Merrill, Palmer of Kensington, Shepard, Sewall, Twardus, Cheney, Carter, Palmer of Plaistow, Keefe, McEachern, Murch, Sadler, Dame, Osborn, White of Portsmouth, Coussoule, Morrill, Morrison.

STRAFFORD COUNTY: Berry, Blanchette, Smith of Dover, Drew, Rolfe, Hartigan, Rubins, Beaudoin, Chase, Johnson of

Rochester, Maloomian, Cormier, Hebert, Vincent, Bennett of Strafford.

BELKNAP COUNTY: McAllister, Bolduc, Uhlenberg, La-caillade, Harkins, Head, Hayner, Urie.

CARROLL COUNTY: Hill, Brown of Sandwich, Lamprey of Tuftonboro.

Nays — 145

MERRIMACK COUNTY: Phelps, Fairbanks, Moore, Hutchinson, York, Upton, Dame of Concord, Bingham, Peaslee, Sanders, Ferguson of Concord, Newell of Concord, Stevens, Kelley of Franklin, Gilman, Charland, Reddy, London, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Van Loan, Wiggin, Davis of Greenfield, Taft, Pickering, Eaton, Brocklebank, Legallee, Warren, Kimball of Manchester, Leclerc, Hayward of Milford, Cobleigh, Cole, Sullivan, Pappagianis, Peterson, Rice, Eastman of Weare.

CHESHIRE COUNTY: O'Neil, Gowing, Stearns, Keating, Shea of Keene, Ward 2, Bennett of Keene, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Hackler, Abare, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Gaffney, Campbell, Barrows, Guest, Marx.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Grey, Morse, Hayward of Hanover, Johnson of Hanover, Low, Adams, Beard, Lewis, Whipple, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Cushman, Bell, Smith of Plymouth, Barney, Berringer.

COOS COUNTY: Fontaine, Marsh, Shute, Fogg, Potter, Taylor of Whitefield.

ROCKINGHAM COUNTY: Griffin, Underwood, Watts, Kimball of Derry, Eastman of Exeter, Wylie, Weeks, Ring, Shindle-decker, Clark of Kingston, Pinkham, Schwaner, Stafford of Portsmouth, Chandler, Frink, Legasse, Langford, Greene of Rye, Young, Grant, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Leighton, Nelson, Grimes, Hemon, Fellows, Colbath, Richardson, Bevan, Crouch, Littlehale, Clark of Lee, Adams of Madbury, Moulton, Varney, Green of Rollinsford.

**BELKNAP COUNTY:** Matheson, Normandin, Prescott, O'Shan, Varrell, Allan of Meredith, Joslyn, Howe.

**CARROLL COUNTY:** Davis of Conway, Roberts, Blake, Dufferfer, Remick, Fox, Chamberlain of Wolfeboro, Claffin, and the motion to indefinitely postpone prevailed.

### **Introduction of a Bill**

HB 653, making appropriations for capital improvements and long time repairs for the state of New Hampshire, was read a first and second time and referred to Appropriations.

### **Reports (cont.)**

HB 581, relating to workmen's compensation, Mr. Sanders of Concord for Labor. Ought to pass with amendment.

### **Amendment to HB 581**

Amend section 1 of the bill by striking out the word "one" in the fifth and ninth lines and inserting in place thereof the word, two, so that said section as amended shall read as follows:

1 Coverage. Amend paragraph I of RSA 281:2 (supp) as amended by 1957, 187:1, 1959, 187:1 and 1961, 194:1, by striking out the word "three" in the third line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: I Employer, means a person, partnership, association, corporation and the legal representative of a person, partnership, association or corporation who employs two or more persons, whether in one or more trades, businesses, professions or occupations, and whether in one or more locations, except casual employees, farm labor and domestic service. In determining the number of persons employed there shall be included persons whose contract of employment was entered into outside the state, if they are actually employed on work in this state. For the purpose of determining the number of persons employed, executive officers elected or appointed and empowered in accordance with the charter and by-laws of a corporation shall not be considered to be employees, except that such executive officers in excess of three shall be counted as employees. Except where the context specifically indicates otherwise, the term "employer" shall be deemed to include the employer's insurance

carrier. Any other employer may elect to accept the provisions of this chapter in accordance with sections 3 and 7.

Amend section 9 of the bill by striking out said section and inserting in place thereof the following:

9 Determination of Value. Amend RSA 281 by inserting after section 21 (supp) as amended by 1961, 194:9 the following new section: 281:21-a Reasonable Value of Services. Whenever medical and hospital services, or other remedial care, are rendered to an injured employee under the provisions of this chapter, and a dispute arises between the employer and the person, firm or corporation rendering such services or care as to the reasonable value thereof, the labor commissioner shall consult with not less than three members of the same profession as the creditor concerned in the subject dispute and thereafter determine the reasonable value for such services or care. Each of the following organizations shall be entitled to submit to the labor commissioner the names of ten members of their organization who shall comprise a panel from which the commissioner shall choose individuals with whom to consult: (a) New Hampshire Medical Society, (b) New Hampshire Osteopathic Society, (c) New Hampshire Dental Society. Nothing herein contained shall be construed as a bar to the commissioner, for purposes of complying with this section, consulting with any other professional individuals, provided that said individuals shall be engaged in the private practice of their profession and not in the employ of the employer of the patient or any party or agent acting on behalf of employers, and no individual who is not engaged full time in the private practice of his profession shall be eligible for membership on any of the panels aforesaid. The labor commissioner shall have exclusive jurisdiction in resolving the dispute and he shall make his findings as to the reasonable value of such services and/or care rendered and such findings shall be binding upon the interested parties.

\* \* \*

Mr. Conover of Manchester spoke against the bill.

Messrs. Angus of Claremont and Stevenson of Bethlehem spoke in favor of the bill.

Mr. Upton of Concord spoke in favor of the bill.

The amendment was adopted and the bill was ordered to a third reading.

HJR 34, in favor of Marcus E. Diffenderfer, Mr. McAllister of Barnstead for Mileage. Ought to pass with amendment.

### **Amendment to HJR 34**

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the following named persons be allowed the sums set opposite their names for mileage allowance for the 1959 session of the general court, which said allowance, although approved by the then mileage committee, was not paid because of an error. The sums appropriated hereunder shall be a charge upon the legislative appropriation.

Marcus E. Diffenderfer, Ossipee, \$129.60; Scott F. Eastman, Weare, \$132; Arthur H. McAllister, Barnstead, \$91.56; Greta M. Ainley, Manchester, \$88; James Pettigrew, Manchester, \$44; Alfred A. Bergeron, Manchester, \$44; C. Cecil Dame, Portsmouth, \$34.10; Julia White, Portsmouth, \$21; William F. Keefe, Portsmouth, \$33.79; J. Edward Bouvier, Swanzey, \$42.40; Angeline M. St. Pierre, Rochester, \$77.76; Robert B. Drew, Farmington, \$25.68; Ernest Coutermarsh, Lebanon, \$21; Mary Senior Brown, Sandwich, \$20.40; Daniel R. Blanchard, Jackson, \$6.60; Dorothy B. Berry, Barrington, \$17.44; Frank J. Bennett, Keene, \$11; Roxie A. Forbes, Marlow, \$34.10; Winnifred Hartigan, Rochester, \$12.24; Charles P. Hayward, Milford, \$14.24; Jeremiah J. Keating, Keene, \$10.80; Albert Littlehale, Durham, \$13.32; Harry N. Marsh, Colebrook, \$35.70; Arthur F. Turner, Gilsum, \$31.20; H. Thomas Urie, New Hampton, \$12.24; Edna B. Weeks, Greenland, \$21.40; Philip S. Willey, Campton, \$11; and the estate of Edward W. Morris, Manchester, \$85.60.

\* \* \*

Mr. Vachon of Berlin offered the following substitute amendment and moved its adoption.

On motion of Mr. Vachon of Berlin, reading of the amendment was dispensed with.

### **Substitute Amendment to HJR 34**

Amend the joint resolution by inserting after the words and figure "Philip S. Willey, Campton, \$11" the words and figure, Harvey H. Converse, Pittsburg, \$55, so that said joint resolution as amended shall read as follows:

That the following named persons be allowed the sums set opposite their names for mileage allowance for the 1959 session of the general court, which said allowance, although approved by the then mileage committee, was not paid because of an error. The sums appropriated hereunder shall be a charge upon the legislative appropriation.

Marcus E. Diffenderfer, Ossipee, \$129.60; Scott F. Eastman, Weare, 132; Arthur H. McAllister, Barnstead, \$91.56; Greta M. Ainley, Manchester, \$88; James Pettigrew, Manchester, \$44; Alfred A. Bergeron, Manchester, \$44; C. Cecil Dame, Portsmouth, \$34.10; Julia White, Portsmouth, \$21; William F. Keefe, Portsmouth, \$33.79; J. Edward Bouvier, Swanzey, \$42.40; Angeline M. St. Pierre, Rochester, \$77.76; Robert B. Drew, Farmington, \$25.68; Ernest Coutermarsh, Lebanon, \$21; Mary Senior Brown, Sandwich, \$20.40; Daniel R. Blanchard, Jackson, \$6.60; Dorothy B. Berry, Barrington, \$17.44; Frank J. Bennett, Keene, \$11; Roxie A. Forbes, Marlow, \$34.10; Winnifred Hartigan, Rochester, \$12.24; Charles P. Hayward, Milford, \$14.24; Jeremiah J. Keating, Keene, \$10.80; Albert Littlehale, Durham, \$13.32; Harry N. Marsh, Colebrook \$35.70; Arthur F. Turner, Gilsum, \$31.20; H. Thomas Urie, New Hampton, \$12.24; Edna B. Weeks, Greenland, \$21.40; Philip S. Willey, Campton, \$11; Harvey H. Converse, Pittsburg, \$55; and the estate of Edward W. Morris, Manchester, \$85.60.

\* \* \*

The substitute amendment was adopted and the House Joint Resolution was ordered to a third reading.

HB 597, adopting a state radiation control program, Mr. Greene of Rollinsford for Public Health, Ought to pass with amendment.

#### **Amendment to HB 597**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Radiation Protection. Amend RSA 125 by inserting after section 55 (supp) as inserted by 1961, 60:1, the following new subdivision.

Radiation Protection and  
Radiation Control Program

125:56 Public Policy. Whereas ionizing radiations and their sources can be instrumental in the improvement of health, welfare and productivity of the public if properly utilized, and may be destructive of life or health if carelessly or excessively employed, or may impair the industrial and agricultural potentials of the state if improperly utilized, it is hereby declared to be the public policy of this state:

I. To encourage the constructive uses of radiation and to prohibit unnecessary radiation; and

II. To institute and maintain a regulatory program for sources of ionizing radiation so as to provide for (a) compatibility with the standards and regulatory programs of the federal government, (b) a single effective system of regulations within the state, and (c) a system consonant insofar as possible with those of other states; and

III. To institute and maintain a program to permit development and utilization of sources of ionizing radiation for peaceful purposes consistent with the health and safety of the public.

125:57 Purpose. It is the purpose of this subdivision to effectuate the policies set forth in section 56 by providing for:

I. A program of effective regulation of sources of ionizing radiation for the protection of the occupational and public health and safety;

II. A program to promote an orderly regulatory pattern within the state, among the states and between the federal government and the state and facilitate intergovernmental cooperation with respect to use and regulation of sources of ionizing radiation to the end that duplication of regulation may be minimized;

III. A program to establish procedures for assumption and performance of certain regulatory responsibilities with respect to byproduct, source and special nuclear materials; and

IV. A program to permit maximum utilization of sources of ionizing radiation consistent with the health and safety of the public.

125:58 Definitions. The following words as used in this subdivision shall have the following meanings:

I. "Department" means the department of health and welfare, division of public health services.

II. "Unnecessary radiation" means the use of gamma rays, X-Rays, alpha and beta particles, high speed electrons, neutrons, protons, and other atomic or nuclear particles or rays in such manner as may present a substantial hazard to the health of the people or the industrial or agricultural potentials of the state as determined by the consensus of opinion of competent scientific authorities.

III. "Byproduct material" means any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material.

IV. "Ionizing radiation" means gamma rays and X-Rays; alpha and beta particles, high speed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

V. License; General and Specific.

(1) "General license" means a license effective pursuant to regulations promulgated by the state radiation control agency without the filing of an application to transfer, acquire, own, possess or use quantities of, or devices or equipment utilizing byproduct, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

(2) "Specific license" means a license, issued after application, to use, manufacture, produce, transfer, receive, acquire, own, or possess quantities of, or devices or equipment utilizing byproduct, source, special nuclear materials, or other radioactive material occurring naturally or produced artificially.

VI. "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Atomic Energy Commission, or any successor thereto, and other than federal government agencies



licensed by the United States Atomic Energy Commission, or any successor thereto.

VII. "Source material" means (1) uranium, thorium, or any other material which the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such; or (2) ores containing one or more of the foregoing materials, in such concentration as the governor declares by order to be source material after the United States Atomic Energy Commission, or any successor thereto, has determined the material in such concentration to be source material.

VIII. "Special nuclear material" means (1) plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor declares by order to be special nuclear material after the United States Atomic Energy Commission, or any successor thereto, has determined the material to be such, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

#### 125:59 State Radiation Control Agency.

I. The department of health and welfare, division of public health services, is hereby designated as the state radiation control agency.

II. The Director of the division of public health services shall designate an individual to be director of the agency, hereinafter referred to as the director, who shall perform the functions vested in the agency pursuant to the provisions of this act.

III. The agency shall for the protection of the occupational and public health and safety:

(1) Administer this subdivision and codes, rules, or regulations promulgated hereunder;

(2) Develop and conduct comprehensive policies and programs for evaluation of hazards associated with use of sources of ionizing radiation and for their amelioration;

(3) Develop and conduct programs with due regard for compatibility with federal programs for regulation of byproduct, source and special nuclear materials;

(4) Have power to formulate and promulgate, amend and repeal codes and rules and regulations, including registration of sources of radiation as may be necessary to prohibit and prevent unnecessary radiation; provided, however, that no such code, rule, regulation, amendment or repeal shall be adopted except after public hearing. Said public hearing shall be held by the department or its duly authorized representatives provided that thirty days' notice thereof shall be given by public advertisement stating the date, time and place of the hearing; provided further that no such amendment or repeal shall be or become effective until thirty days after such public hearing.

(5) Advise, consult, and cooperate with other agencies of the state, the federal government, other states and interstate agencies, political subdivisions, industries, and with groups concerned with control of sources of ionizing radiation.

(6) Issue such orders or modifications thereof as may be necessary in connection with proceedings under section 62 hereof.

(7) Have the authority to accept and administer loans, grants or other funds or gifts, conditional or otherwise, in furtherance of its functions, from the federal government and from other sources, public or private.

(8) Encourage, participate in, or conduct studies, investigations, training, research, and demonstrations relating to the control of radiation hazard, the measurement of radiation, the effects on health of exposure to radiation, and related problems as it may deem necessary or advisable for the discharge of its duties hereunder.

(9) Collect and disseminate information relating to control of sources of ionizing radiation, including:

(a) maintenance of a file of all license applications, issuances, denials, amendments, transfers, renewals, modifications, suspensions and revocations;

(b) maintenance of a file of registrants possessing sources of ionizing radiation requiring registration under the provisions of this act and any administrative or judicial action pertaining thereto; and

(c) maintenance of a file of all rules and regulations relating to regulation of sources of ionizing radiation, pending or promulgated, and proceedings thereon.

(10) Collect and disseminate health education information relating to radiation protection.

(11) Review plans and specifications for radiation sources submitted pursuant to codes, rules or regulations promulgated hereunder.

(12) All data obtained as a result of registrations, licensings or investigations shall be kept confidential by the department.

125:60 Use of Radiation Sources. All sources of radiation shall be shielded, transported, handled, used and kept in such a manner as to prevent all users thereof and all persons within effective range thereof from being exposed to unnecessary radiation.

125:61 Inspection and Right of Entry. The director or his duly authorized representatives shall have the power to enter at all reasonable times upon any private or public property for the purpose of determining whether or not there is compliance with or violations of the provisions of this act and rules and regulations issued thereunder, except that entry into areas under the jurisdiction of the federal government shall be effected only with the concurrence of the federal government or its duly designated representatives. Such entry may include, but shall not be limited to, inspections and investigations of radiation sources, their shieldings and immediate surroundings and records or memoranda pertaining to radiation sources and exposure to radioactive materials as they may pertain to the public health and welfare.

125:62 Licensing and Registration of Sources of Ionizing Radiation.

I. The agency shall provide by rule or regulation for general or specific licensing of byproduct, source, special nuclear materials, or devices or equipment utilizing such materials. Such rule or regulation shall provide for amendment, suspension or revocation of licenses.

II. The agency is authorized to require registration or licensing of other sources of ionizing radiation.

III. The agency is authorized to exempt certain sources of ionizing radiation or kinds of uses or users from the licensing or

registration requirements set forth in this section when it makes a finding that the exemption of such sources of ionizing radiation or kinds of uses or users will not constitute a significant risk to the health and safety of the public.

IV. Rules and regulations promulgated pursuant to this act may provide for recognition of other state or federal licenses as the agency may deem desirable, subject to such registration requirements as the agency may prescribe.

#### 125:63. Records.

I. The director shall require each person who possesses or uses a source of ionizing radiation to maintain records relating to its receipt, storage, transfer or disposal and such other records as he may require subject to such exemptions as may be provided by rules or regulations.

II. The director shall require each person who possesses or uses a source of ionizing radiation to maintain appropriate records showing the radiation exposure of all individuals for whom personnel monitoring is required by his rules and regulations. Copies of these records and those required to be kept by sub-section I of this section shall be submitted to the director on request. Any person possessing or using a source of ionizing radiation shall furnish to each employee for whom personnel monitoring is required a copy of such employee's personal exposure record, at any time such employee has received excessive exposure, and upon termination of employment.

#### 125:64 Federal-State Agreements.

I. The governor and council, on behalf of this state, are authorized to enter into agreements with the federal government providing for discontinuance of certain of the federal government's responsibilities with respect to sources of ionizing radiation and the assumption thereof by this state.

II. Any person who, on the effective date of an agreement under sub-section I above, possesses a license issued by the federal government shall be deemed to possess the same pursuant to a license issued under this subdivision, which shall expire either ninety days after receipt from the director of a notice of expiration of such license, or on the date of expiration specified in the federal license, whichever is earlier.

## 125:65 Notification of Violation and Order of Abatement.

Whenever the director or his authorized representative finds upon inspection and examination of a source of radiation as constructed, operated or maintained that there has been a violation of any of the provisions of this subdivisions or any codes, rules, or regulations promulgated hereunder, he shall notify any person found to be causing, allowing or permitting such violation, of the nature of that violation and order that prior to a time fixed by the director, which time shall not be later than ten days from the date of service of the notice, that such person shall cease and abate causing, allowing or permitting such violation and take such action as may be necessary for the source of radiation to be constructed, operated or maintained in compliance with this subdivision and codes, rules or regulations promulgated hereunder. In any proceeding under this subdivision act for granting, suspending, revoking, or amending any license, or for determining compliance with or granting exemptions from rules and regulations of the agency, the agency shall afford an opportunity for a hearing on the record upon the request of any person whose interest may be affected by the proceeding, and shall admit any such person as a party to such proceeding. Any person aggrieved by the finding or order of the agency may request a hearing before the director, division of public health services, at any time within fifteen days after notification and the director, division of public health services, may affirm the finding or order of the agency or reverse or modify the finding or order of the agency. Any person aggrieved by the finding or order of the director, division of public health services, may bring a civil action in superior court at any time within thirty days after being notified thereof, and said court may proceed in a summary manner or otherwise, and thereupon may affirm the finding or order of the agency or director, division of public health services, or reverse or modify the finding or order of the agency or director, division of public health services, in whole or in part as the court shall deem just and reasonable.

## 125:66 Authority of the Director in Cases of Emergency.

Whenever the director finds that an emergency exists requiring immediate action to protect the public health or welfare, he may issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Such order shall be effective immediately. Any person to whom such order is directed shall comply there-

with immediately, but on application to the director, division of public health services, shall be afforded a hearing within fifteen days. On the basis of such hearing, the director, division of public health services, shall continue such order in effect, revoke it, or modify it.

125:67 Injunctive Relief. A civil action may be instituted in superior court on behalf of the agency for injunctive relief to prevent the violation of the provisions of this subdivision or codes, rules or regulations promulgated hereunder, and said court may proceed in the action in a summary manner or otherwise and may restrain in all such cases any person from violating any of the provisions of this subdivision or said codes, rules or regulations.

125:68 Prohibited Uses. It shall be unlawful for any person to use, manufacture, produce, transport, transfer, receive, acquire, own or possess any source of ionizing radiation unless licensed by or registered with the Director in accordance with the provisions of this subdivision.

125:69 Exceptions. Nothing herein shall be interpreted as limiting intentional exposure of patients to radiation by members of any legal recognized healing profession as authorized by law.

125:70 Penalty. Any person who violates any of the provisions of this subdivision or rule or regulation of the agency or who violates any order of the agency promulgated pursuant thereto shall be fined not less than fifty dollars nor more than five hundred dollars or imprisoned, not exceeding six months, or both, and in addition thereto may be enjoined from continuing such violation. Each day any person neglects or refuses to comply therewith shall constitute a separate offense.

125:71 Existing Remedies Unimpaired. No existing civil or criminal remedy for any wrongful action which is a violation of any code, rule or regulation promulgated hereunder shall be excluded or impaired by this subdivision.

125:72 Protection of Powers. The powers and functions vested in the department of health and welfare, division of public health services, under the provisions hereof shall not be construed to affect in any manner the powers, duties and functions vested in the department of health and welfare, division of public health services, under any other provisions of law.

125:73 Conflicting Laws. This subdivision shall not be construed as repealing any laws of the state relating to radiation sources, exposures, radiation protection, and professional licensure, but shall be held and construed as auxiliary and supplementary thereto, except to the extent that the same are in direct conflict herewith. Nothing in this subdivision or in any code, rules or regulations promulgated pursuant thereto shall preclude the right of any governing body of a municipality to adopt ordinances or regulations not inconsistent herewith or any code, rules or regulations promulgated pursuant thereto.

125:74 Severability of Provisions. If any provision of this subdivision or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this subdivision which can be given effect without the invalid provision or application, and to this end the provisions of this subdivision are declared to be severable.

2 Repeal. RSA 125:42 through 55, inclusive (supp) as inserted by 1961, 60:1 is hereby repealed.

3 Effective Date. The provisions of this act relating to the control of byproduct, source and special nuclear materials shall become effective on the effective date of the agreement between the federal government and this state as provided in RSA 125:50 as hereinabove inserted. The remaining provisions of this act shall take effect upon passage.

\* \* \*

At the request of Mrs. Schwaner of Plaistow, Mr. Green of Rollinsford explained the bill.

The amendment was adopted and the bill was ordered to a third reading.

HB 596, adopting the Uniform Narcotic Drug Act, Mr. Green of Rollinsford for Public Health. Ought to pass with amendment.

#### **Amendment to HB 596**

Amend paragraph I of section 318-A:21 as inserted by section I of the bill by striking out in the third and eleventh lines the word "or" and inserting in place thereof the word, and; further amend by striking out in the fourth and twelfth lines

the words "or both," so that said paragraph as amended shall read as follows:

I. Whoever violates any provision of this chapter shall upon conviction be fined not more than \$2,000 and be imprisoned not less than two or more than five years. For a second offense, or if, in case of a first conviction of violation of any provision of this chapter, the offender shall previously have been convicted of any violation of the laws of the United States or of any state, territory or district relating to narcotic drugs or marijuana the offender shall be fined not more than \$2,000 and be imprisoned not less than five or more than ten years. For a third or subsequent offense, or if the offender shall previously have been convicted two or more times in the aggregate of any violation of the law of the United States or of any state, territory or district relating to narcotic drugs or marijuana, the offender shall be fined \$2,000 or be imprisoned not less than ten or more than twenty years, or both. Except in the case of conviction for a first offense, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum imprisonment herein provided for the offense shall have been served.

Amend paragraph II of section 318-A:21 as inserted by section 1 of the bill by striking out in the fourth line the word "or" and inserting in place thereof the word, and; further amend by striking out in the fifth line the words "or both", so that said paragraph as amended shall read as follows:

II. Any person who is convicted of the illegal sale, exchange, barter, supplying or giving away of narcotic drugs or marijuana shall be fined not more than \$2,000 and be imprisoned not less than five or more than ten years. For a second or subsequent offense the penalty shall be the same as that provided for a third offender in paragraph I. For any offense the penalty for which is provided in this paragraph, the imposition or execution of sentence shall not be suspended and probation or parole shall not be granted until the minimum sentence shall have been served.

\* \* \*

The amendment was adopted and the bill was referred to the committee on Appropriations under the Rules.

\* \* \*



By unanimous consent for a suspension of the Rules the following bills were placed on the Calendar for Public Hearing on Wednesday next:

SB 100, relating to the practice of accountancy.

HB 638, relative to relocation of road in Rye.

By unanimous consent for a suspension of the Rules the following bills were placed on the Calendar for Report on Tuesday next:

HB 554, to provide additional funds for public education.

HB 540, providing for a board of regents for the state educational system.

### **Report (cont.)**

SB 84, authorizing indemnification agreements with the United States, Mr. Taft of Greenville for Public Works. Ought to pass.

The bill was ordered to a third reading.

### **Engrossed Bills Report**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 258, An act to increase the fees for licensing for propagation of fish and game by private persons.

HB 259, An act to increase the fees for special fish and game licenses.

HB 343, An act providing for the adoption of minimum standards for mobile homes under city or town building codes.

HB 414, An act relative to the operation of motor boats by certain minors.

HB 651, An act providing for an additional appropriation for the expenses of the legislature.

HB 351, An act relative to vehicles of non-residents not regularly used on highways.

SB 30, An act providing for the development and redevelopment of areas of vacant or predominantly vacant land which are substandard or blighted.

Mrs. Potter of Northumberland  
Mr. York of Concord

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

HB 281, relative to the remodeling of certain buildings and the construction of a new greenhouse at the University of New Hampshire.

HB 382, requiring registration for physical therapists.

HB 551, relative to tree wardens.

HB 419, relating to the school tax in unincorporated places, unorganized towns, and towns whereby act of the Legislature the school districts have been abolished and the abolition of certain school district.

HB 508, relative to house trailers.

HB 515, relative to distribution of normal yield taxes.

HB 258, to increase the fees for licensing for propagation of fish and game.

HB 259, to increase the fees for special fish and game licenses.

HB 473, reducing the time for the presentation of claims in the administration of insolvent estates.

HB 21, relative to the Concord city charter.

HB 364, relative to the city charter of Concord.

HB 71, relative to special meetings of the mayor and board of aldermen of Concord.

HB 422, relative to unlawful use of motor vehicle operator's licenses.

HB 651, providing for an additional appropriation for the expenses of the legislature.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 448, relative to the conveyance of part of Rye Harbor Reservation to the town of Rye.

#### **Amendment to HB 448**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Authority Granted. The governor and council are hereby authorized to convey, or lease upon terms mutually agreed upon, to the town of Rye some fifty acres, more or less, in Rye, a part of the property known as Rye Harbor Reservation which is now under the administration of the division of parks in the department of resources and economic development, the exact number of said acres to be determined by the governor and council. The condition for the conveyance or letting hereby authorized shall be that said town of Rye shall use the property for recreation and other municipal purposes.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

#### **Amendment to HB 260**

HB 260, to establish a fee for importation of fish and game.

Amend section 1 of the bill by striking out in line 6 the words "or sell" and inserting in place thereof the words, for sale, so that said section as amended shall read as follows: 1 Importation of Fish and Game. Amend RSA 270:14 by adding at the end thereof the words, the fee for such permit shall be five dollars, so that said section as amended shall read as follows:

207:14 Importing and Releasing. No person shall bring or have brought into this state, for sale or release therein, from any other state or country, any living fish or the fry thereof, any living wild bird or the eggs thereof, or any living wild animal, without first procuring a permit from the director so to do. The fee for such permit shall be five dollars.

On motion of Mr. London of New London the House concurred in the Senate amendment.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 104, relative to advisory commission and transfer of powers under the department of health and welfare.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 286, relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester.

A further Senate message announced that the Senate has voted to refer to the Legislative Council or Services the following bill:

HB 250, relative to adoptions.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

HB 414, relative to the operation of motor boats by certain minors.

HB 343, providing for the adoption of minimum standards for mobile homes under city or town building codes.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolution:

Concurrent Resolution, Ratifying a proposed amendment to the Constitution of the United States of America. (relating to the qualification of electors.)

On motion of Mr. Henry of Concord the reference whereby SB 121, relating to the Nashua Airport Authority, was referred to Claims and Aeronautics was vacated and the bill was referred to the Nashua Delegation.

\* \* \*

### Communication

Manchester, N. H.  
June 6, 1963

Mr. Stewart Lamprey, Speaker  
House of Representatives  
Concord, N. H.

Dear Sir:

My family and I wish to extend our sincere thanks to the members of the House of Representatives and particularly to you and to Mr. William A. Cote and Mr. Alphonse L. Bernier, for the Resolutions on the passing of William H. Craig, Sr., for the tribute paid him and for the sympathy extended to us.

We thank you also for the scroll listing his achievements, which was mailed to us, and which we will treasure.

Sincerely yours,  
s/Emma J. Craig

Mrs. William H. Craig, Sr.  
Manchester, N. H.

### Report Received

The Report of Audits of State Departments, Institutions and Agencies made by the Office of the Legislative Budget Assistant has been received and placed on file in the Clerk's office.

### Afternoon Session

On motion of Mr. Hill of Conway the Rules of the House were so far suspended as to permit business in order at 3:00 this afternoon to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet next Tuesday at 11:00 A.M.

### Third Readings

The following bills and resolution were read a third time, passed, and sent to the Senate for concurrence:

HJR 34, in favor of Marcus E. Diffenderfer.

HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard.

HB 597, adopting a state radiation control program.

HB 581, relating to workmen's compensation.

### Reconsideration

Mr. Angus of Claremont, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 581, and spoke against the motion.

The motion did not prevail.

### Third Readings (cont.)

SB 84, authorizing indemnification agreements with the United States, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

On motion of Mrs. Shea of Keene the House adjourned at 1:52 P.M.

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TUESDAY, JUNE 18, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered as follows by the Chaplain:

O Heavenly Father, whose life is within and whose love is about us, make us glad of heart as without haste or confusion we enter upon our appointed tasks, conscious of our ability to

meet every rightful demand because of Thine indwelling. Give us a robust spirit that shall choose its way with self-possession, with the discerning eye of interest and the quick pulse of power — a spirit that shall enable us to know our fellow men and plead their righteous cause. May ours be the helping hand to the weak, may we be a comfort to those in sorrow and affliction, even as we have been comforted of Thee, that with heart and hand we may give ourselves to the work of Him who hath called us to follow His most holy life, Jesus Christ, Thy Son, our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Moulton of New Durham led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced the following groups as guests of the House today:

A group of 4H Club members from New Durham, courtesy of Mrs. Moulton of New Durham.

The Safety Patrol from Brookline, courtesy of Mr. Farwell of Brookline.

### **Leaves of Absence**

Mr. Mahoney of Manchester Ward 2 was granted leave of absence for the week on account of important business.

Mr. Bouvier of Swanzev was granted leave of absence for the week on account of a death in the family.

### **Introduction of a Resolution**

The following Joint Resolution was introduced, read a first and second time, and referred as follows:

HJR 40, in favor of Earl Hill of Pittsfield (Rules Committee — Mrs. Tarrant of Pittsfield) to Appropriations.

### Committee Reports

HB 449, relative to on-sale permits for alcoholic beverages, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule No. 6. Ought to pass with amendment.

Amend section 3 by striking out the first two lines and inserting in place thereof the following:

3 Off-Sale Permits. Amend RSA 176:11 (supp) as amended by 1963, 50:1 by inserting after the word "licenses" in the sixth line the

\* \* \*

The Clerk read the amendment in full.

On motion of Mr. Collishaw of Exeter the House concurred in the amendment.

HB 260, to establish a fee for importation of fish and game, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule No. 6. Ought to pass with amendment.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1 Fish and Game. Amend RSA 207:14 by striking out the words "or sell" in the second line and inserting in place thereof the words, for sale. and by inserting at the end of said section the words, the fee for such permit shall be five dollars, so that said section as amended shall read as follows:

207:14 Importing and Releasing. No person shall bring or have brought into this state, for sale or release therein, from any other state or country, any living fish

\* \* \*

The Clerk read the amendment in full.

On motion of Mr. London of New London the House concurred in the amendment.

SB 84, authorizing indemnification agreements with the United States, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule No. 6. Ought to pass with amendment.

Amend section 1 of said bill by striking out the ninth line and inserting in place thereof the following: agreements in the name of the state with and for the benefit of the United

\* \* \*



The Clerk read the amendment in full.

On motion of Mr. Taft of Greenville the House concurred in the amendment.

SB 49, to amend certain probate laws, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule No. 6. Ought to pass with amendment.

### **Amendment to SB 49**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Enlarge Matter Not Requiring Notice. Amend paragraph V of RSA 550:4 by striking out in line two the word "two" and inserting in place thereof the word, five, so that said paragraph as amended shall read as follows: V. In licensing the sale of real estate whenever the heirs at law or devisees consent thereto in writing, or it is of less than five hundred dollars in value.

2 New Paragraphs. Amend RSA 550:4 by inserting after paragraph XIII (supp) as inserted by 1957, 167:2 the following new paragraphs: XIV. In allowing the payment of a sum not exceeding five hundred dollars for the perpetual care of a cemetery lot and the monuments thereon where the decedent is buried. XV. When an accounting is filed by a guardian who is a parent of or a person standing in loco parentis to a minor having his home with such guardian.

\* \* \*

Further amend said bill by renumbering sections 2 to 10, inclusive, to read sections 3 to 11, inclusive.

The Clerk read the amendment in full.

On motion of Mr. Totman of Alstead the House concurred in the amendment.

### **Senate Messages**

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 332, relative to the practice of dentistry and registration provisions.

### **Amendment to HB 332**

Amend section 3 of said bill by striking out in the fifth and sixth lines and inserting in place thereof the following:

person licensed by the board to register as provided in section 12, shall automatically suspend such license.

On motion of Mr. Green of Rollinsford the House concurred in the Senate amendment.

The Senate message further announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

HB 538, relating to the sub-division of land.

### **Amendment to HB 538**

Amend section 3 of said bill by striking out the first four lines and inserting in place thereof the following:

3 Sales of Land. Amend RSA 36:27 by striking out said section and inserting in place thereof the following: 36:27 Penalties.

Further amend said section by striking out the words "or agreed or negotiated to be sold" in the fourteenth and fifteenth lines.

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

### **Committee Reports (cont.)**

HB 554, to provide additional funds for public education, Mrs. Demers of Lebanon as Clerk for the committee on Education. Majority, Inexpedient to legislate.

HB 554, to provide additional funds for public education, Mrs. Demers of Lebanon, Mrs. Russell of Keene and Mr. McEachern of Portsmouth for the Minority of the committee on Education. Ought to pass.

Mrs. Demers of Lebanon moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Peterson of Peterborough moved that HB 554 be indefinitely postponed and spoke in favor of the motion.

(discussion ensued)

Messrs. McEachern of Portsmouth, Kimball of Manchester, Coutermarsh of Lebanon, Cavalieri of Portsmouth, Pappagianis of Nashua and Pickett of Keene spoke against the motion.

Mrs. Hartigan of Rochester and Mrs. Russell of Keene spoke against the motion.

(Mr. Angus of Claremont in the Chair)

Mrs. Weeks of Greenland and Mrs. Greene of Rye spoke in favor of the motion.

Messrs. O'Neil of Chesterfield, Taft of Greenville, Eaton of Hillsborough and Mr. Lamprey of Moultonborough spoke in favor of the motion.

Mr. Maloomian of Somersworth moved the Previous Question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to Indefinitely Postpone HB 554.

Mrs. Griffin of Auburn demanded the Yeas and Nays and the roll was called as follows:

Yeas — 234

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Underwood, Cummings, Watts, Gay, Kimball of Derry, Scott, White of Derry, Hackett, Collishaw, Eastman of Exeter, Wheeler, Wylie, Weeks, Spollett, Casassa, Ring, Shindledecker, Merrill, Clark of Kingston, McDonough, Cheney, Carter, Pinkham, Palmer of Plaistow, Schwaner, Murch, Stafford of Portsmouth, Dame, Osborn, Chandler, White of Portsmouth, Frink, Legasse, Langford, Greene of Rye, Young, Canty, Grant, Morrill, Morrison, Peever, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Berry, Leighton, Grimes, Fellows, Smith of Dover, Colbath, Richardson, Bevan, Crouch, Littlehale, Drew, Canney, Clark of Lee, Adams of Madbury, Dawson, Moulton, Rolfe, Chase, Johnson of Rochester, Clement, Varney, Green of Rollinsford, Bennett of Strafford.

BELKNAP COUNTY: Perkins, McAllister, Matheson, Goodhue, Uhlenberg, Lacaillade, McCarthy, Head, Prescott, Hayner, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Roberts, Taylor of Effingham, Blake, Lamprey of Moultonborough, Diffenderfer, Brown of Sandwich, Remick, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro, Claflin.

MERRIMACK COUNTY: Fairbanks, Hanson, Moore, Asby, Hutchinson, Upton, Henry, Dame of Concord, Hancock, Bingham, Smith of Concord, Andersen of Concord, MacDonald, Peaslee, Sanders, Ferguson of Concord, Gove, Newell of Concord, Rufo, McKay, Stevens, Kelley of Franklin, Reddy, Brown of Loudon, London, Thompson of Northfield, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Whitney, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Pickering, Eaton, Brocklebank, Legallee, Warren, Ainley, Feldman, Lang, Pettigrew, Goode, Boettcher, Buker, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Cooper, Underhill, Todd, Karnis, Garland, Peterson, Rice, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Stearns, Pollock, Shea of Keene, ward 2, Heald of Keene, Bennett of Keene, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Hackler, Ballam, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Campbell, Nahil, Guest, Weber, Marx, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Plumer, Willey, Grey, Goodfellow, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, McMeekin, Hampson, Adams, Beard, Lewis, Whipple, Allard of Littleton, Kelley of

Littleton, Martin of Littleton, Park, Cushman, Bell, Smith of Plymouth, Barney, Anderson of Warren, Bean, Berringer.

COOS COUNTY: Connolly, Marsh, Nash, Graham, Keough, Sherman, Shute, Fogg, Potter, Arsenault, Brooks, Taylor of Whitefield.

Nays — 143

ROCKINGHAM COUNTY: Palmer of Kensington, Shepard, Sewall, Twardus, Keefe, McEachern, Sadler, Cavalieri, Cousoule.

STRAFFORD COUNTY: Blanchette, Nelson, Heman, Maglaras, Hartigan, Marsan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Maloomian, Cormier, Hebert, Vincent.

BELKNAP COUNTY: Bolduc, Harkins, Normandin.

CARROLL COUNTY: Blanchard.

MERRIMACK COUNTY: Guilbeault, Phelps, LaFamme, York, Gilman, Charland, Dempsey, Doon Lafond, Plourde, Robinson.

HILLSBOROUGH COUNTY: Farwell, Barnard, Bartlett, Bednar, Claveau, Gallagher, Provencal, Soucy, Conover, Geisel, Kimball of Manchester, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Clancy of Manchester, ward 6, Doherty, Dupont, Healy, O'Conner, Lafrance, Leclerc, Martel, Tessier, Bernier, Champagne, Delisle, Moran, Wade, O'Gara, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Gamache, Grady, Vachon, Dionne of Nashua, ward 2, Belcourt, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Dubois, Lavallee, Sablusi, Desmarais of Nashua, Dumais, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, ward 1, Belletete, Pickett, Russell, Forbes, Abare.

SULLIVAN COUNTY: Cann, Gaffney, Barrows, D'Amante, Bailey, Downing, Spanos.

GRAFTON COUNTY: Bowles, Morse, Coutermarsh, Demers, McGee, Brummer.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Dumont of Berlin, Vashaw, Bouchard, Fantaine, Gagnon, Bushey, Stinson.

and the bill was indefinitely postponed.

(Speaker in the Chair)

### **Senate Message**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 68, relative to the reorganization of public higher education in New Hampshire.

### **Introduction of a Senate Bill**

SB 68, relative to the reorganization of public higher education in New Hampshire, was read a first and second time and referred to Education.

### **Recess**

### **After Recess**

HB 540, providing for a board of regents for the state educational system, Mrs. Demers of Lebanon as Clerk of the committee on Education. Majority, Inexpedient to legislate.

HB 540, providing for a board of regents for the state educational system, Mrs. Demers of Lebanon, Mrs. Russell of Keene and Mr. McEachern of Portsmouth for the Minority on Education. Ought to pass with amendment.

### **Amendment to HB 540**

Amend 188-B:1 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

188-B:1 Board of Regents; Established. There is hereby created a board of regents of seven members. The commissioner of education and the president of the University of New Hampshire shall be members ex officio without the right to vote. There shall be five public members appointed by the governor with the advice and consent of the council for a term of six years each.

Each member shall serve until his successor is appointed and qualified. The initial appointments hereunder however shall be as follows: Two members for a term of three years and three members for a term of six years. All succeeding appointments shall be for terms of six years. In the event of a vacancy an appointment shall be made for the unexpired term only. The board shall be composed of residents of the state of New Hampshire and shall select their own chairman annually. No public member of the board of regents shall hold any other public office, appointive or elective, while serving on the board. Members of the board shall serve without compensation but shall be entitled to receive mileage and actual expenses incurred in the performance of their public duties.

Amend paragraph I of 188-B:2 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

I. The board of regents shall have the following advisory and planning functions: (1) To coordinate the fiscal requirements of all public educational institutions and programs by furnishing to the governor and legislature prior to the convening of each session of the legislature an analysis of all budgetary requests concerned with education, together with the board's recommendations as to the proper disposition of such requests; (2) To conduct a continuing planning survey of all educational programs, including community colleges, within the state and to make recommendations to the governor and legislature for legislative or administrative action designed to improve the educational structure; (3) To establish a plan for long range capital improvements in all of the state's educational institutions and prepare a long range capital budget to implement said program; (4) To cooperate and work with the New Hampshire members of the New England Board of Higher Education, insofar as possible.

Amend subparagraph 2 of paragraph II of 188-B:2 as inserted by section 1 of the bill by striking out said subparagraph and inserting in place thereof the following: (2) Subject to approval of governor and council, to allocate among the public educational institutions of the state all federal and state funds appropriated for educational capital improvements and expansion and not otherwise specifically allocated by the legislature

or by the federal grant. The board of regents is hereby empowered to accept all grants of federal funds not specifically allocated by the terms of the grant. The allocation of these federal and state funds shall be made solely upon the recommendation of the board of regents but shall not become effective unless and until approved by the governor and council. The governor and council upon approval of the recommendations of such allocations shall issue their warrant for the same.

Further amend the bill by inserting after 188-B:6 as inserted by section 1 of the bill a new section as follows:

188-B:7 Executive Director. The board of regents is empowered to employ a full-time executive director and fix his compensation. The director with the approval of the board shall employ such research and clerical staff as may be necessary to perform the duties assigned to him by said board.

Amend section 2 of the bill by striking out in the first and second lines the words "seven thousand five hundred" and inserting in place thereof the words, eighteen thousand, so that said section as amended shall read as follows:

The sum of eighteen thousand dollars for the fiscal year ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965 are hereby appropriated to be expended by the board of regents for the purposes of RSA 188-B as hereinabove inserted. The sum appropriated for the first year shall not lapse but any balance may be expended in the second year of the biennium. The governor is authorized to draw his warrant for the sums herein appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

Mr. McEachern of Portsmouth moved that the words, Ought to pass with amendment, be substituted for the words, Inexpedient to Legislate, and spoke in favor of the motion.

Mr. O'Neil of Chesterfield moved that HB 540 be indefinitely postponed and spoke in favor of the motion.

Mr. Pappagianis of Nashua spoke against the motion.

(discussion ensued)

Mr. Peterson of Peterborough spoke in favor of the motion.



The question being on the motion to indefinitely postpone HB 540.

Mrs. Griffin of Auburn demanded the Yeas and Nays and subsequently withdrew her request and requested a division vote.

Mr. Pappagianis of Nashua demanded the Yeas and Nays and the roll was called as follows:

Yeas — 222

HILLSBOROUGH COUNTY: Bragdon, Edwards, VanLoan, Wiggin, Whitney, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Pickering, Eaton, Brocklebank, Legallee, Warren, Ainley, Feldman, Lang, Goode, Kimball of Manchester, Boettcher, Buker, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Cooper, Underhill, Todd, Karnis, Garland, Peterson, Rice, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Stearns, Pollock, Shea of Keene, ward 2, Heald of Keene, Bennett of Keene, Faulkner, Oliver, Bennett of Richmond, Allen of Rindge, Hackler, Ballam, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Angus, Campbell, Guest, Weber, Marx, Hood.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Plumer, Goodfellow, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, Larty, McMeekin, Hampson, Adams, Beard, Lewis, Whipple, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Park, Cushman, Bell, Smith of Plymouth, Barney, Anderson of Warren, Bean, Berringer.

COOS COUNTY: Connolly, Marsh, Nash, Graham, Keough, Sherman, Shute, Fogg, Potter, Arsenault, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Underwood, Cummings, Watts, Gay, Kimball of Derry, Scott, Hackett, Collishaw, Eastman of Exeter, Wheeler, Wylie, Weeks, Spollett, Ring, Shindledecker, Merrill, Clark of Kingston, McDonough, Cheney, Carter, Pinkham, Palmer of Plaistow, Schwaner, Murch, Stafford of Portsmouth, Osborn, Chandler, White of Portsmouth, Frink, Legasse, Langford, Greene

of Rye, Grant, Morrill, Morrison, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Berry, Leighton, Grimes, Fellows, Smith of Dover, Colbath, Richardson, Bevan, Crouch, Littlehale, Drew, Canney, Clark of Lee, Adams of Madbury, Dawson, Moulton, Rolfe, Marsan, Chase, Johnson of Rochester, Varney, Bennett of Strafford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, Uhlenberg, Lacaillade, McCarthy, Head, Prescott, Hayner, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Roberts, Taylor of Effingham, Blake, Diffenderfer, Brown of Sandwich, Remick, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro, Claffin.

MERRIMACK COUNTY: Fairbanks, Hanson, Moore, Asby, Hutchinson, Upton, Henry, Dame of Concord, Hancock, Bingham, Smith of Concord, MacDonald, Peaslee, Sanders, Ferguson of Concord, Maxham, Newell of Concord, Rufo, McKay, Stevens, Kelley of Franklin, Reddy, Brown of Loudon, London, Thompson of Northfield, Tarrant, Bigelow, Thompson of Wilmot.

### Nays — 124

HILLSBOROUGH COUNTY: Farwell, Barnard, Bartlett, Bednar, Claveau, Gallagher, Provencal, Conover, Geisel, Hayes, Cullity, Mahoney of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Dupont, Healy, LaFrance, LeClerc, Tessier, Bernier, Champagne, Moran, Wade, O'Gara, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Levasseur, Nalette, Allard of Manchester, Lesmerises, Gauthier, Rousseau, Gamache, Grady, Tremblay of Manchester, Dionne of Nashua, ward 2, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Dubois, Lavallee, Sablusk, Desmarais of Nashua, Dumais, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Cournoyer, Desmarais of Jaffrey, Keating, Pratt, Shea of Keene, ward 1, Belletete, Russell, Forbes, Abare.

SULLIVAN COUNTY: Cann, Gaffney, Barrows, Bailey, Downing, Spanos.

GRAFTON COUNTY: Willey, Bowles, Morse, Coutermarsh, Demers.

COOS COUNTY: Dubey, Fortier, Desilets, Sheridan, Vashaw, Fontaine, Gagnon, Bushey, Stinson.

ROCKINGHAM COUNTY: Palmer of Kensington, Sewall, Twardus, Keefe, McEachern, Sadler, Cavalieri, Coussole.

STRAFFORD COUNTY: Blanchette, Nelson, Hemon, Maglaras, Hartigan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Maloomian, Cormier, Hebert, Vincent.

BELKNAP COUNTY: Bolduc, Harkins, Normandin.

CARROLL COUNTY: Blanchard.

MERRIMACK COUNTY: Guilbeault, Phelps, LaFlamme, York, Gilman, Charland, Dempsey, Doon, Lafond, Robinson.

and the motion to indefinitely postpone prevailed.

HB 563, for the establishment of authorized regional enrollment (AREA) schools and creating the New Hampshire school building authority, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 513, relating to grants to cooperative school districts, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was referred to Appropriations under the Rules.

HB 547, creating a single Board of Trustees for the State Colleges and Universities, Mrs. Demers of Lebanon for Education. Inexpedient to legislate, covered by pending legislation.

The resolution was adopted.

HB 583, providing state aid for transportation of school pupils in school districts having no schools. Inexpedient to legislate.

Mr. Hughes of Brookfield moved that HB 583 be made a Special Order for 11:01 tomorrow (Wednesday, June 19th) and spoke in favor of the motion.

The motion was not adopted.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 571, relative to education expenses for dependent children, to be financed by an increase in the tobacco tax, Mr. Kearns of Manchester for Joint Ways and Means and Education. Inexpedient to legislate.

Mr. Urie of New Hampton moved that HB 571 be referred to the Joint committees on Executive Departments and Appropriation and spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

(discussion ensued)

Mr. Stevens of Epsom spoke in favor of the motion.

Mr. Taft of Greenville spoke against the motion.

Mr. Kearns of Manchester spoke against the motion.

Messrs. Kimball of Manchester and Smith of Plymouth spoke in favor of the motion.

The motion was not adopted.

The question now being on the resolution of the committee.

The resolution was adopted.

HB 565, to revise the law relating to cooperative school districts, Mrs. Demers of Lebanon for Education. Ought to pass with amendment.

### **Amendment to HB 565**

Amend subparagraph (b) of paragraph III, RSA 195:18 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

(b) The number, composition, method of selection, which shall include use of the non-partisan ballot system under RSA 59, and terms of office of the cooperative school board, except that the cooperative school board shall consist of an odd

number of members, not less than five nor more than fifteen, who shall be elected for terms not exceeding three years, each pre-existing district voting separately at the cooperative school district meeting to elect at least one member by use of a distinctive ballot for each such district.

Amend paragraph V of RSA 195:18 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

V. Before final approval of a proposed articles of agreement by the planning board, it shall hold at least one public hearing thereon within the proposed cooperative school district and shall give such notice thereof as it may determine to be reasonable. An executed copy of the proposed articles of agreement shall be submitted by the planning board to the board, and, when the board finds that the same are in accord with the standards set forth in section 2 of this chapter, it shall approve the same and cause them to be submitted to the school boards of the several pre-existing districts for acceptance by the districts as provided in the following paragraph. Upon such submission, the board shall cause the approved articles of agreement to be published once in some newspaper generally circulated within the proposed cooperative school district at the expense of the state. The planning board may amend a proposed articles of agreement to conform to recommendations of the board after holding a further public hearing thereon with notice as above provided.

Amend paragraph VII of RSA 195:18 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

VII. If any pre-existing district fails to vote in the affirmative on the proposed articles of agreement within ninety days after its school board receives notice of approval thereof by the board, such district shall be deemed to have rejected the same. If the proposed articles of agreement fail of adoption as herein required, they may be resubmitted to all or a different combination of the several pre-existing districts either in their original form or as amended by the cooperative school district planning board, with the approval of the board, such articles if amended to be published once by the board as provided in the case of initial articles of agreement in paragraph V, and shall in such

case be again acted upon by each district, as provided herein; but, prior to the approval thereof by the board of resubmission, the planning board shall hold one further public hearing thereon as provided in paragraph V in the case of initial articles of agreement.

Amend paragraph IX of RSA 195:18 as inserted by section 1 of said bill by striking out said paragraph and by inserting in place thereof the following:

IX. The organization meeting of a cooperative school district shall be called to order by the chairman of the cooperative school district planning board, or by the clerk-treasurer thereof, who shall serve as temporary chairman for the first order of business which shall be the election of a moderator and of a temporary clerk, by ballot, who shall be qualified voters of the district. From and after the issuance of the certificate of formation by the board to the date of operating responsibility of the cooperative school district, such district shall have all the authority and powers of a regular school district for the purposes of incurring indebtedness, for the construction of school facilities and for such other functions as are necessary to obtain proper facilities for a complete program of education. When necessary in such interim, the school board of the cooperative school district is authorized to prepare a budget and call a special meeting of the voters of the district, which meeting shall have the same authority as an annual meeting, for the purpose of adopting the budget, making necessary appropriations, and borrowing money. Whenever the organization meeting is held on or before April 20 in any calendar year, no annual meeting need be held in such calendar year.

Sums of money raised and appropriated at the organization meeting or any interim meeting prior to the first annual meeting shall be forthwith certified to the state tax commission and the state department of education upon blanks prescribed and provided by the tax commission for the purpose, together with a certificate of estimated revenues, so far as known, and such other information as the tax commission may require. The tax commission shall examine such certificates and delete any appropriations which appear not made in accordance with the law, and adjust any sum which may be used as a set off against the amount appropriated when it appears to the commission such adjustment is in the best public interest. The tax commission

shall certify to the state department of education the total amount of taxes to be raised for said cooperative school district and the state department of education shall determine the proportional share of said taxes to be borne by each pre-existing school district and notify the tax commission of its determination. Upon certification by the tax commission the selectmen of each town shall seasonably assess the taxes as provided by law. The selectmen shall pay over to the treasurer of the cooperative district such portion of the sums so raised as may reasonably be required according to a schedule of payments needed for the year as prepared by the treasurer and approved by the cooperative school board, but no such payment shall be greater in percentage to the total sum to be raised by one local district than that of any other local district comprising such cooperative school district.

Amend paragraph X of RSA 195:18 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

X. The provisions of paragraphs I and II of section 4 and of sections 4-a, 7 and 8 of this chapter shall not apply to cooperative school districts organized under this section, but all other sections of this chapter shall apply to such districts, except as otherwise expressly provided in this section or in any articles of agreement adopted pursuant hereto.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following: 2. Functions Amend RSA 195:4 by striking out said section and inserting in place thereof the following:

195:4 Powers. I. During the period from the date of the vote of the organization of any cooperative school district organized prior to July 1, 1963, to the date of operating responsibility such cooperative school district shall have all the authority and privileges of a regular school district for bonding purposes, for the construction of school facilities and for all other necessary functions to obtain proper facilities for the provision of a complete program of education. When necessary the school board of the cooperative school district is authorized to prepare a budget and call a special meeting of the voters of the district for the purpose of adopting the budget and to determine the financial appropriations. Such meeting shall have the same authority as an annual meeting for these purposes.

II. Election of Officers. Every cooperative school district organized prior to July 1, 1963, may continue to elect the members of its cooperative school board in the same manner and for the same terms as were provided by law immediately prior to the effective date of this act. Every such cooperative school district at any annual or special meeting, pursuant to an article in the warrant, may adopt a by-law to specify the number, composition, method of selection, which shall include the use of the non-partisan ballot system under RSA 59, and terms of office of its cooperative school board, except that its cooperative school board shall consist of an odd number of members, not less than five nor more than fifteen, who shall be elected for terms not exceeding three years, each pre-existing district voting separately at the cooperative district meeting to elect at least one member by use of a distinctive ballot for each such district. The question of adopting a by-law specifying such details shall be considered at such meeting by the voters of each pre-existing district voting separately by distinctive ballot with the use of the checklist after reasonable opportunity for debate in open meeting. If a majority of the voters of each pre-existing district present and voting shall vote to adopt such by-law, it shall take effect pursuant to its terms. Thereafter such by-law vote may be amended only (a) at an annual meeting of the district by a majority vote of the voters of each pre-existing district voting separately by distinctive ballot with the use of the checklist after reasonable opportunity for debate or (b) at an annual or special meeting of the district in connection with the annexation of additional territory or an increase in the number of grades for which the cooperative school district is to be responsible.

III. Checklists. At the meetings held in the pre-existing districts for the purpose of accepting the articles of agreement, or any agreement of annexation, and at the organization meeting of the cooperative school district the checklists for each pre-existing district shall be used. The school board of any pre-existing district which does not have a checklist shall make, post and correct a list of the legal voters in the district for use at such meetings as supervisors are required to do in regard to the list of voters in their towns. Thereafter the cooperative school board shall make, post and correct a list of the legal voters of the cooperative school district acting as supervisors are required to do, except that such list shall indicate with respect to each voter the pre-existing district in which he resides. Any two members of



the cooperative school board shall constitute a quorum at sessions for the correction of the checklist. Notwithstanding the foregoing provisions whenever each of the pre-existing school districts is coextensive with the town in which it is located the cooperative school district may, at an annual cooperative school district meeting, under an article in the warrant for such meeting, vote that the supervisors of each town, acting as the supervisors of the cooperative school district, shall make, post and correct in each pre-existing district a checklist of the voters in each pre-existing district and shall certify to the same acting as supervisors of the cooperative school district. At each annual meeting for the election of officers of the cooperative district the checklists prepared by the supervisors in each pre-existing district in accordance with the provisions of this paragraph shall be used and the town supervisors from each pre-existing district shall attend said annual meeting. The voters of the cooperative district shall be those whose names appear on the checklists as provided by this paragraph. The supervisors shall be paid such compensation as the district may provide.

IV. For purposes of state-wide supervision a cooperative school district shall be a school district.

V. The members of the cooperative school board shall serve with or without remuneration as the district shall determine, but they shall be paid their necessary expenses while upon official business.

Amend said bill by inserting after section 10 the following new section: 10-a Copies of budget. Amend RSA 195:12-a (supp) as inserted by 1961, 206:6, by adding at the end thereof the following new paragraph: III. Copies. Such committee shall seasonably provide the cooperative school board with a sufficient number of copies the budget prepared by it, and the same shall be posted with each copy of the warrant in the manner provided by section 13 of this chapter.

Amend section 11 of said bill by striking out the whole of said section and inserting in place thereof the following:

11. Taxation. Amend RSA 135:14 (supp) as amended by 1955, 334:3 by striking out said section and inserting in place thereof the following:

195:14. Certification of District Taxes. The cooperative school board shall annually on or before July twenty-fifth cer-

tify to the tax commission and the state department of education upon blanks prescribed and provided by the tax commission for the purpose, a certificate of the several appropriations voted by the district and estimated revenues, so far as known, and such other information as the tax commission may require. The tax commission shall examine such certificates and delete any appropriations which appear not made in accordance with the law, and adjust any sum which may be used as a set off against the amount appropriated when it appears to the commission such adjustment is in the best public interest. The tax commission shall certify to the state department of education the total amount of taxes to be raised for the support of said cooperative school district and the state department of education shall determine the proportional share of said taxes to be borne by each pre-existing school district and notify the tax commission of its determination. Upon certification by the tax commission, the selectmen of each town shall seasonably assess the taxes as provided by law. The selectmen shall pay over to the treasurer of the cooperative district such portions of the sums so raised as may reasonably be required according to a schedule of payments needed for the year as prepared by the treasurer and approved by the cooperative school board, but no such payment shall be greater in percentage to the total sum to be raised by one local district than that of any other local district comprising such cooperative school district.

Whenever a cooperative school district assumes any obligations of a pre-existing district the cooperative school board shall also certify to the tax commission and the state department of education the amount to be raised by taxation to pay such obligations as they become due and the state department of education shall determine the proportional part thereof to be borne by each pre-existing district and notify the tax commission thereof. The tax commission shall thereupon add the amount thereof to the other sums to be raised by said pre-existing districts and include the same in computing the rate per cent of taxation for each pre-existing district, unless the articles of agreement or agreement of annexation provide otherwise.

Whenever a cooperative school district has assumed the obligations of a pre-existing district the amount of each payment of principal and interest on all obligations which have been thus assumed shall be annually assessed and collected without any vote or other act of approval whatsoever.

Amend RSA 195:16-b as inserted by Section 13 of said bill by striking out said section and inserting in place thereof the following: 195:16-b Power of Eminent Domain. Whenever a cooperative school district cannot acquire by purchase a good title to any real estate or interest therein needed by it for its purposes either because of the unwillingness of the owner to sell at a reasonable price or his inability to convey a good title or for other reason, the cooperative school district may apply by petition to the superior court for the county in which such real estate or interest therein is located to acquire such real estate or interest therein in the name of such district and to have assessed the damages occasioned by the taking. Thereafter the procedure shall follow that prescribed in RSA 481:10, paragraphs I, II, III and V.

Further amend said bill by inserting after section 13 a new section as follows:

14. Repeal and Effect Thereof. RSA 195:3 is hereby repealed. Nothing herein contained shall be construed to invalidate the organization of or any action taken by any cooperative school district heretofore organized. The organization of all cooperative school districts completed prior to the effective date of this act and the proceedings taken with respect to the organization of any cooperative school district, the organization of which has not been completed prior to the effective date of this act, are hereby expressly validated and confirmed.

Further amend the bill by renumbering section 14 to read section 15.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 624, rendering incompatible the offices of full-time salaried police officer and deputy sheriff, Mrs. Marx of Langdon for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 566, relative to beagle field trials, Mrs. Forbes of Marlow for Fish and Game. Ought to pass with amendment.

**Amendment to HB 566**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Permits. Amend RSA 207:12 by inserting after the word "animals" in the seventh line the words, Permits shall be issued to any beagle club recognized by the American Kennel Club, or to a member of such beagle club, for the training, at any time except during the open season for deer, of beagles to be run at beagle club trials to be conducted under American Kennel Club rules and regulations, so that said section as amended shall read as follows: 207:12 Training of Dogs. Permits will be issued in the discretion of the director to anyone showing just cause, to allow the training of dogs, when accompanied by and under the control of their owner or handler, upon any game or fur-bearing animals except deer, during the closed season on such game or fur-bearing animals; provided that, during such period no fire-arms other than a pistol or revolver are carried, and no injury is inflicted upon such game or fur-bearing animals. Permits shall be issued to any beagle club recognized by the American Kennel Club, or to a member of such beagle club, for the training, at any time except during the open season for deer, of beagles to be run at beagle club trials to be conducted under American Kennel Club rules and regulations.

Under control is hereby defined to mean within call, except when actually on a trail or track of game.

2 Beagle Trials. Amend RSA 207:13 (supp) as amended by 1955, 78:1, by inserting at the end of said section the following words: Provided that the director shall issue permits for beagle trials to any beagle club recognized by the American Kennel Club for trials to be run under the rules and regulations of the American Kennel Club. The director or his authorized agent shall enforce the terms of such permits, so that said section as amended shall read as follows: 207:13 Field Trials. Field trials for dogs may be held at such times, in such manner, and under such restrictions, as may be prescribed by the director. Any person wishing to hold a field trial shall first obtain a written permit from the person on whose land it is proposed to hold the trial, present the same to the director, and pay a fee of ten dollars, except that the fee shall be two dollars for field trials for coon dogs. The director may thereupon issue a permit for such field trial. The director, or his duly authorized agent, shall supervise the

holding of such field trial and enforce the terms of the permits therefor, and the rules and regulations for the conduct thereof. The director shall adopt such rules and regulations for the conduct of field trials as in his opinion are necessary to safeguard the interests of the wild life of the state. Provided that the director shall issue permits for beagle trials to any beagle club recognized by the American Kennel Club for trials to be run under the rules and regulations of the American Kennel Club. The director or his authorized agent shall enforce the terms of such permits.

3 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

(Mr. Taft of Greenville in the Chair)

HB 498, relative to small loans, Mrs. Ainley of Manchester for Judiciary, refer to the Bank Advisory Board for study.

Mr. Hancock of Concord offered the following substitute for the resolution of the committee:

### Substitute Resolution HB 498

*Resolved*, that the report of the Judiciary Committee whereby HB 498, relative to small loans, was referred to the Bank Advisory Board, be amended to read:

That the bill be referred to the Bank Advisory Board for the purpose of making an investigation and study relative to the consumer finance companies in the state. In the course of its investigation and study, the board shall consider the effectiveness, the enforcement and the administration of the present laws relating to consumer finance companies. The board shall hold public hearings and shall report to the general court the results of its investigation and study and its recommendations by filing the same with the secretary of state on or before the last Wednesday of December, 1964.

\* \* \*

The clerk read the amendment in full.

Mr. Hancock spoke in favor of the resolution.

On a *viva voce* vote the Nays appeared to have it.

Mr. Hancock of Concord requested a division.

Mrs. Frizzell of Charlestown rose on a point of inquiry.

Mr. Stevenson of Bethlehem rose on a point of inquiry.

A division vote being had and 152 members having voted in the affirmative and 134 in the negative the substitute resolution was adopted.

HB 609, relative to usurious interest rates, Mrs. Ainley of Manchester for Judiciary, refer to the Bank Advisory Board for study.

The resolution was adopted.

HB 610, relative to progressive time contracts, Mr. Spanos of Newport for Judiciary. Refer to the Judicial Council for study and report.

The resolution was adopted.

HB 608, providing compensation for persons damaged by limitation, Mrs. Frizzell of Charlestown for Judiciary. Ought to pass with amendment.

### Amendment to HB 608

Amend section 1 of said bill by striking out the words "seven thousand two hundred seventy-two dollars and six cents" in the second and third lines and inserting in place thereof the words, six thousand one hundred eighty-six dollars and sixty-eight cents; and further amend said section by striking out the figure "\$4,585.38" in the tenth line and inserting in place thereof the figure, \$3,500.00, so that said section as amended shall read as follows:

1 Appropriation. There is hereby appropriated the sum of six thousand one hundred eighty-six dollars and sixty-eight cents to compensate the persons listed below, each in the amount set beside his name, for damages sustained by them on account of signs legally erected under the provisions of RSA 249-A (supp) as inserted by 1961, 269:1, but now rendered unlawful by the enactment of certain amendments to said RSA 249-A (supp) by 1963,3:

Canobie Lake Park Corporation	\$ 3,500.00
Miss Jessie A. Coles	60.00
F. Gordon Miller	1,225.00
Town of Franconia	135.00
Town of Bethlehem	180.00
Nicholas Perkins	545.00
National Advertising Co., Brattleboro, Vermont	262.18
Micalite Signs Corporation Westmoreland, New Hampshire	279.50

No payment shall be made to any such person until he shall have voluntarily removed such signs owned by him. The sum hereby appropriated shall be a charge upon the highway fund, and the governor is authorized to draw his warrant therefor upon said fund.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

HB 173, relative to observance of Veterans Day, Mrs. Cooper of Nashua for Judiciary. Inexpedient to legislate.

Mr. Maloomian of Somersworth moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mr. Vachon of Manchester, Mrs. Cooper of Nashua and Mrs. Frizzell of Charlestown spoke against the motion.

The motion was not adopted and the resolution of the committee was adopted.

HB 514, relative to fees in the superior court, Mr. Upton of Concord for Judiciary. Ought to pass with amendment.

#### Amendment to HB 514

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Fees. Amend RSA 499:18 by striking out said section and inserting in place thereof the following: 499:18 Superior Court. For the benefit of the county, the following fees shall be paid to the clerk of the superior court:

<b>I Civil.</b>	
Writ entry	5.00
Order of notice for service in hand or by publication	5.00
Each additional copy	2.00
Order of notice on new or additional attachment	5.00
Each additional copy	2.00
Executions	1.00
Writ of possession	2.00
Original writs	.20
All other orders of notice (copy for service and copy for return)	5.00
Each additional copy	2.00
<b>II Equity.</b>	
Bills in equity entry	5.00
Orders of notice, one defendant	5.00
Each additional copy	2.00
Bills in equity by publication entry	5.00
Citation for publication and return	5.00
Each additional copy	2.00
Libels and petitions in marital cases entry	5.00
Orders of notice for one defendant	2.00
Each additional copy	2.00
Libels and petitions in marital cases by publication entry	5.00
Citation, copies for service and certified mail	6.00
Each additional copy	2.00
Temporary orders or injunctions	2.00
Petitions for modification or contempt orders or notice	5.00
Petitions for special meetings and temporary appointments	.
Entry	5.00
Certified copy	2.00
Workmen's compensation petitions	
Entry	5.00
Orders of notice on defendant, insurer, and commissioner	5.00
Petition for dissolution of corporation entry	5.00
Citation and copy to secretary of state	5.00
Notice of liens on bonds entry	5.00
Copies by mail to insured and insurer	5.00



Bills in equity vs. state, counties, cities and towns entry	5.00
Orders of notice for service	4.00
Divorce, legal separation and nullity certificates	2.00
Stipulations, first page	1.00
Each additional page	.50
III Miscellaneous.	
All other entries	5.00
Change of venue, entry fee in county to which case is forwarded	5.00
Taxation of costs by clerk	1.00
Rule of reference	1.00
Certificates:	
Notary, sheriff or justice of the peace	1.00
To probate court in appeal cases	1.00
Exemplified	3.00
Clerk's certificate	1.00
Copied material, first page	1.00
Each additional page	.50

Further amend said bill by striking out section 2 and by re-numbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 623, relating to conflicts of interests of public officials and employees, Mr. Wildey of Westmoreland for Judiciary. Refer to the Legislative Council for study.

The resolution was adopted.

SB 66, to require notation of line agreements, Mr. Spanos of Newport for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 479, relative to cocktail lounges in restaurants, Mr. Canty of Salem for Liquor Laws. Ought to pass.

The bill was ordered to a third reading.

HB 112, relating to the advertising of beverages, Mr. Blanchard of Jackson for Liquor Laws, Ought to pass with amendment.

**Amendment to HB 112**

Amend section 1 of said bill by inserting after the words "advertising of" in the thirtieth line the words, products other than liquor and, so that said section as amended shall read as follows:

1 Trade Associations Publications. Amend RSA 175:11 by adding at the end thereof the following: This section shall not be construed to prohibit the advertising of beverages in the journal or other publication of a trade association incorporated under the laws of the state, notwithstanding that its membership may include permittees, so long as the primary purpose of said association is not the promotion of the business of the sale of beverages, so that said section as amended shall read as follows: 175:11 Prohibited Advertising. No holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval shall advertise in any manner or form, and no liquor or beverages shall be advertised, either directly or indirectly, in any booklet, program, program book, year book, magazine, newspaper, periodical, brochure, circular or other similar publication published by, for or in behalf of any religious, fraternal, educational, patriotic, social or civic group, or any on-sale or off-sale permittee or any group thereof, nor shall any holder of a manufacturer's permit, wholesaler's permit, solicitor's permit or a certificate of approval through any control, ownership, interlocking ownership, interlocking directors, or otherwise, advertise or cause any manner or form of advertising to be inserted in such publications. This section shall not be construed to prohibit the advertising of products other than liquor and beverages in the journal or other publication of a trade association incorporated under the laws of this state, notwithstanding that its membership may include permittees, so long as the primary purpose of said association is not the promotion of the business of the sale of beverages.

Amend section 2 of the bill by striking out the words "sixty days after" and inserting in place thereof the word, upon, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 43, providing for hearing in cases of suspension or revocation of liquor licenses or permits, Mr. Feldman of Manchester for Liquor Laws. Ought to pass with amendment.

### Amendment to HB 43

Amend section 1 of the bill by inserting after the word "hearing" in the ninth and twenty-ninth lines the words, Such hearing shall be held within five days after the giving of notice, so that said section as amended shall read as follows:

1 Liquor Licenses and Beverage Permits. Amend RSA 178:11 by striking out the words "by the commission without hearing, and may be revoked after notice and hearing" in the thirteenth and fourteenth lines and inserting in place thereof the words, or revoked by the commission after notice and hearing. Such hearing shall be held within five days after the giving of notice. The licensee or permittee shall be allowed to continue in business until the completion of the hearing, so that said section as amended shall read as follows: 178:11 Suspension or Revocation. It shall be the duty of the commission to cause frequent inspections to be made of all the premises with respect to which any license or permit shall have been issued under the provisions of this title. If any licensee or permittee violates any of the provisions of this chapter or any of the rules and regulations of the commission promulgated pursuant thereto or fails to superintend in person or through a manager approved by the commission the business for which the license or permit was issued or allows the premises with respect to which the license or permit was issued to be used for any unlawful, disorderly or immoral purposes or knowingly employs in the sale or distribution of liquor or beverages any person who has been convicted of a felony or otherwise fails to carry out in good faith the purposes hereof, the license or permit of such licensee or permittee may be suspended or revoked by the commission after notice and hearing. Such hearing shall be held within five days after the giving of notice. The licensee or permittee shall be allowed to continue in business until the completion of the hearing. The commission may revoke or suspend the license of any licensee or the permit of any permittee if it finds after notice and hearing that the profit made from the sale of liquor or beverages by such licensee or permittee is unreasonable and excessive.

Mr. Charland of Franklin moved that HB 43 be indefinitely postponed and spoke in favor of the motion.

Mr. Vachon of Manchester spoke against the motion.

(discussion ensued)

Mr. Feldman of Manchester spoke against the motion.

(discussion ensued)

Mr. Charland of Franklin spoke a second time in favor of the motion.

On a *viva voce* vote the Yeas appeared to have it.

Mr. Vachon of Manchester requested a division.

158 members having voted in the affirmative and 101 in the negative, the motion to indefinitely postpone HB 43 prevailed.

SB 44, to authorize cities and towns to establish historic districts, Mr. Stafford of Portsmouth for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

(Speaker in the Chair)

HB 552, relative to bridges on class II highways in Hebron, Mr. Fortier of Berlin for Public Works. Inexpedient to legislate.

Mrs. Hampson of Hebron moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate and spoke in favor of the motion.

Mr. Taft of Greenville moved that HB 552 be indefinitely postponed and spoke in favor of the motion.

Messrs. Prior of Ashland, Harkins of Laconia and Mrs. Hampson of Hebron spoke against the motion.

Mr. Plumer of Bristol spoke in favor of the motion.

The motion to indefinitely postpone did not prevail.

The question now being on the motion to substitute the words, Ought to pass, for the words, Inexpedient to legislate.

The motion was adopted and the bill was ordered to a third reading.

HB 598, relative to building war shelters in the city of Manchester, Mr. Allard of Littleton for Public Works. Inexpedient to legislate.

The resolution was adopted.

HB 568, relative to the state song, Mr. Angus of Claremont for the Special Committee. Ought to pass.

The bill was ordered to a third reading.

HB 219, relative to motor carriers of property, Mr. Claffin of Wolfeboro for Transportation. Ought to pass with amendment.

#### **Amendment to HB 219**

Amend said bill by inserting after paragraph III of RSA 375:4 as inserted by section 1 of said bill the following new paragraph:

#### **IV. Private carriers of property by motor vehicle.**

Further amend said bill by inserting after section 1 the following new section:

2 Private Carrier Defined. Amend RSA 375 by inserting after section 3 (supp) as amended by 1961, 166:12, the following new section: 375:3-a Private Carriers. The term "private carrier of property by motor vehicle" means any person not included in the terms "common carrier by motor vehicle" or "contract carrier by motor vehicle," who or which transports in intra-state commerce by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise.

Further amend said bill by renumbering section 2 to read section 3.

The amendment was adopted and the bill was ordered to a third reading.

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended to dispense with the printing of HJR 40, in favor of Earl Hill of Pittsfield.

### HJR 40

That the sum of fifteen hundred dollars is hereby appropriated to reimburse Earl Hill of Pittsfield for damages to his car and injuries to himself on account of an accident which occurred on May 27, 1963. Said accident was caused by disrepair of a state highway. The sum hereby appropriated shall be in full settlement of said claim and shall be a charge upon the highway fund.

The Clerk read the resolution in full.

The motion was adopted.

### Senate Message

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 61, relative to credit Unions.

SB 67, relative to the power of the town of Hampton to make by-laws.

SB 94, providing for an additional justice for the superior court.

SB 96, relative to tax abatement.

SB 103, adopting the bus taxation proration and reciprocity agreement.

SB 108, relative to the application of federal funds for civil defense.

SB 109, adopting the compact of motor fuels consumed by interstate buses.

SB 115, relative to early land acquisition by Nashua Housing Authority.

SB 132, providing for the integration of the present non-contributory pension system of the city of Nashua with old age and survivors insurance.

SB 128, to amend the Portsmouth city charter.

SB 97, relating to the operation of business on Sunday.

SB 101, relating to interest from date of writ in certain cases.

SB 107, relating to the unlawful practice of professional engineering.

### Introduction of Senate Bills

The following Senate bills were read a first and second time and referred as follows:

SB 107, relating to the unlawful practice of professional engineering, to Judiciary.

SB 101, relating to interest from date of writ in certain cases, to Judiciary.

SB 97, relating to the operation of business on Sunday, to Judiciary.

SB 128, to amend the Portsmouth city charter, to the Portsmouth Delegation.

SB 132, providing for the integration of the present non-contributory pension system of the city of Nashua with old age and survivors insurance, to the Nashua Delegation.

SB 61, relative to credit Unions, to Banks.

SB 67, relative to the power of the town of Hampton to make by-laws, to Municipal and County Government.

SB 96, relative to tax abatement, to Ways and Means.

SB 103, adopting the bus taxation proration and reciprocity agreement, to Transportation.

SB 108, relative to the application of federal funds for civil defense, to Appropriations.

SB 109, adopting the compact of motor fuels consumed by interstate buses, to Transportation.

SB 115, relative to early land acquisition by Nashua Housing Authority, to Nashua Delegation.

SB 94, providing for an additional justice for the superior court, to Judiciary.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 21, An act relative to the Concord charter.

HB 71, An act relative to special meetings of the mayor and board of aldermen of Concord.

HB 103, An act relative to service fees from initial plates.

HB 127, An act relative to bonds for dormitories at the state teachers colleges and for the new office building.

HB 150, An act providing for the calling of a constitutional convention.

HB 194, An act relating to investments of savings banks.

HB 222, An act relative to reporting certain shortages of funds.

HB 281, An act relative to the remodeling of certain buildings and the construction of a new greenhouse at the University of New Hampshire.

HB 364, An act relative to the city charter of Concord.

HB 382, An act requiring registration for physical therapists.

HB 407, An act relating to the salaries of members of the Somersworth city council.

HB 419, An act relating to the school tax in unincorporated places, unorganized towns, and towns where by act of the legislature the school districts have been abolished and the abolition of certain school districts.

HB 473, An act reducing the time for the presentation of claims in the administration of insolvent estates.

HB 508, An act relative to house trailers.

HB 422, An act relative to unlawful use of motor vehicle operator's licenses.



HB 467, An act relative to use of bond proceeds and temporary loans under municipal finance act.

HB 515, An act relative to distribution of normal yield taxes.

HB 551, An act relative to tree wardens.

SB 13, An act amending the statute relative to taking fisher.

SB 86, An act to extend the powers of the industrial park authority.

SB 87, An act relative to contract for leasing of concessions on state reservations.

SB 112, An act relative to Pittsfield Dam acquisition.

HB 332, An act relative to the practice of Dentistry and registration provisions.

HB 538, An act relating to the subdivision of land.

HB 260, An act to establish a fee for importation of fish and game.

HB 449, An act relative to on-sale and off-sale permits for alcoholic beverages.

SB 49, An act to amend certain probate laws.

SB 84, An act authorizing indemnification agreements with the United States.

HB 248, An act requiring certain marking for so-called native farm products.

HB 286, An act relative to the salary of the mayor, aldermen and members of the school committee of the city of Manchester.

HB 448, An act relative to conveyance of part of Rye Harbor Reservation to the town of Rye.

SB 50, An act to amend the act establishing the New Hampshire Port Authority.

HB 297, An act authorizing counties to provide life and health insurance for their employees.

HB 350, An act relative to legislative attaches.

HB 575, An act relative to ranks and qualifications of personnel of division of state police.

Mrs. Potter of Northumberland

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 474, providing for the judicial review or orders transferring incorrigibles from industrial school to other state institutions.

### Amendment to HB 474

Amend section 1 of the bill by striking out the last three sentences thereof and inserting in place thereof the following, The minor, or any interested person in his behalf, may, within thirty days from the entry of the order of commitment, petition the superior court or any justice thereof for a review of the findings and order of commitment to determine whether the order was justified. The court or justice shall forthwith fix a time and place for hearing, and shall make such orders relative to the giving of notice thereof as may be proper, and upon hearing all relevant evidence such order shall be entered as justice may require, so that said section as amended shall read as follows:

1. Transfers from Industrial School. Amend RSA 621:24 by striking out said section and inserting in place thereof the following: 621:24 Incorrigibles, etc. If any minor committed to the school shall be found by the trustees to be incorrigible, and dangerous to the discipline of the school, the trustees may order such minor to be transferred and committed to some other state institution for such time as they see fit, but not exceeding the time when his commitment to the industrial school expires. The trustees shall cause an attested copy of their order of commitment to be served on the minor and his father or mother or guardian, or other person standing in loco parentis, either personally or by certified mail, but no defect or insufficiency in the service of such copy shall invalidate the order of commitment. The minor, or any interested person in his be-

half, may, within thirty days from the entry of the order of commitment, petition the superior court or any justice thereof for a review of the findings and order of commitment to determine whether the order was justified. The court or justice shall forthwith fix a time and place for hearing, and shall make such orders relative to the giving of notice thereof as may be proper, and upon hearing all relevant evidence such order shall be entered as justice may require.

On motion of Mr. Wylie of Fremont, reading of the amendment was dispensed with. Mr. Wylie explained the amendment.

On motion of Mr. Wylie of Fremont the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 329, relative to initial registration plates for boats.

#### **Amendment to HB 329**

Amend the paragraph numbered 270:15-b as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

270:15-b Disposition of Fees. The net proceeds collected from the service fees for initial number plates as provided in section 15-a shall be held in the state treasury in a separate account to be known as the Young Boaters Training Fund. The director of safety services is authorized to establish a training program for young persons operating boats and to expend for such program funds from the separate fund established hereunder. Provided, however, that no funds shall be so expended until after March 1, 1964.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of

which amendments the Senate asks the concurrence of the House of Representatives:

HB 275, relative to taxation exemption for disabled veterans.

### **Amendment to HB 275**

Amend House Bill 275 by striking out section 2 and inserting in place thereof the following:

2 Amend RSA 72 by inserting after section 29 the following new section: 29-a Widows. The widow of any person who was killed or died while on active duty in the armed forces of the United States or any of the armed forces of any of the governments associated with the United States in the wars or armed conflicts set forth in section 28, so long as she remains his widow, shall be exempt from taxation upon her real and personal property to the value of eight thousand dollars under the conditions set forth in sections 28 and 30 of this chapter so far as the same are applicable except that the limitations of ownership of taxable property in this state shall not apply to persons eligible under this section; and provided further that, in the case of undivided ownership, the limit of exemption shall be eight thousand dollars as regards the interest of such entitled persons therein.

Further amend HB 275 by adding the following section: 3 Takes Effect. This act shall take effect as of April 1, 1964.

\* \* \*

On motion of Mr. Gay of Derry the House concurred in the Senate amendment.

Further Senate messages announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

SB 49, to amend certain probate laws.

SB 84, authorizing indemnification agreements with the United States.

HB 449, relative to on-sale and off-sale permits for alcoholic beverages.

HB 260, to establish a fee for importation of fish and game.

\* \* \*

The Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 50, to amend the act establishing the New Hampshire port authority.

\* \* \*

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 150, providing for the calling of a constitutional convention.

HB 194, relating to investments of savings banks.

HB 407, relating to the salaries of the Somersworth city council.

\* \* \*

The Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 248, requiring certain marking for so-called native farm products.

\* \* \*

Mr. Angus of Claremont moved that the rules of the House be so far suspended as to permit a public hearing on HB 652 without two days advertising in the Journal.

The motion prevailed.

Mr. O'Neil of Chesterfield moved that the rules of the House be so far suspended as to permit a public hearing on HB 639 and 640 without two days advertising in the Journal.

The motion prevailed.

Mr. Totman of Alstead moved that the rules of the House be so far suspended as to permit a public hearing on SB 71 without two days advertising in the Journal.

The motion prevailed.

### Resolutions

Mr. Karnis of New Ipswich and Mr. Pickering of Hancock for the Hillsborough County Delegation offered the following resolutions.

*Whereas*, Wendell D. Crowell of Hancock, former Member of the House of Representatives, has passed away, and

*Whereas*, He was former Commandant of the Soldiers' Home in Tilton for 22 years, a former Superintendent of State Buildings and Grounds, A Veteran of World War I, a member of the N. H. Fire Chiefs Club and a former Director of the New England Fire Chiefs Association, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, hereby pay tribute to our former Fellow Member for his services to his town, state and country, and that we extend to his family our deepest sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to the widow, Mrs. Pauline Crowell.

The resolutions were unanimously adopted.

Mr. Hackler of Swanzey for the Cheshire County Delegation offered the following resolutions:

*Whereas*, Marie G. Bouvier, wife of J. Edward Bouvier, Representative from Swanzey, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, hereby express our deepest sympathy to our Fellow Member in his bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Bouvier.

The resolutions were unanimously adopted.

\* \* \*

The Chair announced that yesterday was the 41st wedding anniversary of Mr. and Mrs. Fox of Wakefield.

The Chair also announced that Mrs. Moulton of New Durham attended the 50th reunion of her High School class this past weekend.

\* \* \*

On motion of Mrs. Vey of Brentwood the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Hill of Conway the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A. M.

### Third Readings

The following House bills were read a third time, passed, and sent to the Senate for concurrence.

HB 219, relative to motor carriers of property.

HB 568, relative to the state song.

HB 112, relating to the advertising of beverages.

HB 514, relative to fees in the superior court.

HB 566, relative to beagle field trials.

HB 565, to revise the law relating to cooperative school districts.

HB 479, relative to cocktail lounges in restaurants.

HB 552, relative to bridges on class II highways in Hebron.

### Reconsideration

Mr. Angus of Claremont, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 479, and spoke against the motion.

The motion was not adopted.

Mr. Hampson of Hebron, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 552, and spoke against the motion.

The motion was not adopted.

### Third Readings (cont.)

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be Engrossed.

SB 66, to require notation of line agreements.

SB 44, to authorize cities and towns to establish historic districts.

\* \* \*

On motion of Mrs. Martin of Littleton the House adjourned at 6:16 P.M.

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WEDNESDAY, JUNE 19, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered as follows by Guest Chaplain, Reverend Robert E. Cusworth, Pastor of the West Swanzey Community Church:

Almighty God and Eternal Heavenly Father, who has ever been the source of our strength, we now pause to look to Thee and to seek Thy presence and Thy wisdom for those who are gathered here. May Thy blessing and Thy favor rest upon the governor of this State and all those in positions of authority. May each one realize his responsibility to Thee in such a way, that they will put aside any manipulation of mind and spirit that would be displeasing in Thy sight. Instill in the hearts of each one the determination to govern in such a way that Thy truth and goodness may be reflected in the laws of our State and in the lives of those who make the laws. Forgive us, we pray, when we as a people forget the great principles of justice and love, which our forefathers have given us as a heritage, and invigorate our spirits until we have once again been made strong and great in the fear of God and His righteousness. Give us the wisdom to know Thy direction and guidance when it is given unto us, and give us the courage to follow even though it mean personal sacrifice and suffering. Give us the vision of a brotherhood of mankind that enfolds all Thy children together in justice and in peace. And as we place our trust in Thee we humbly pray that we may become a blessing to all nations, to the praise of the glory of Thy grace; through Jesus Christ our Lord. Amen.



### **Pledge of Allegiance to the Flag**

Mr. Heald of Keene led the Convention in the Pledge of Allegiance to the Flag.

### **House**

The Chair introduced the following groups as Guests of the House today:

A group of Democratic Women from Strafford County.

A group of women from the Order of Eastern Star from Claremont.

A group of Young People from West Swanzey, courtesy of Mr. Heald of Keene.

A group from Parent Teachers from Whipple School in Portsmouth.

### **Leaves of Absence**

Mr. Thibeault of Nashua was granted an indefinite leave of absence on account of illness.

Mr. Lacaillade of Laconia was granted leave of absence for the day on account of illness.

Mrs. Grey of Canaan was granted leave of absence for today and Thursday on account of important business.

Mr. Boettcher of Manchester was granted leave of absence for the day on account of important business.

\* \* \*

The Chair appointed Mr. McMeekin of Haverhill, Mr. Sherman of Lancaster and Mr. Claveau of Hudson as conferees on the part of the House on HB 290, relative to the retirement age for state employees under the state employees' retirement system.

### **Committee Reports**

HB 594, authorizing N. H. College of Accounting & Commerce to grant degrees, Mrs. Demers of Lebanon for Education. Ought to pass with amendment.

**Amendment to HB 594**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. Authority Granted. The college conducted by the N. H. College of Accounting and Commerce, Inc., an educational institution, is hereby authorized to confer upon the graduates therefrom the degrees of Bachelor of Business Science and Associate Science.

\* \* \*

Miss Faulkner of Keene offered the following amendment to the amendment and moved its adoption.

**Amendment to the Amendment to HB 594**

Amend the proposed amendment by inserting after the word *Associate* in the last line the words "of Business", so that said section as amended shall read as follows:

1. Authority Granted. The college conducted by the N. H. College of Accounting and Commerce, Inc., an educational institution, is hereby authorized to confer upon the graduates therefrom the degrees of Bachelor of Business Science and Associate of Business Science.

\* \* \*

The Clerk read the amendment in full.

Miss Faulkner of Keene explained the amendment.

The amendment to the amendment was adopted.

The committee amendment as amended was adopted and the bill was ordered to a third reading.

SB 64, abolishing the school district of Wentworth's Location and transferring the education of children in Wentworth's Location to the state, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was ordered to a third reading.

HB 67, relative to the advisory commission of the department of resources and economic development, and transfers within said department, Mrs. Lewis of Lebanon for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

HB 614, relative to insurance on certain state real estate and personal property of historic value, Mr. Smith of Concord for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

SB 37, relative to recounts, Mrs. Clark of Lee for Executive Departments and Administration. Ought to pass with amendment.

### **Amendment to SB 37**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Number of Signatures. Amend RSA 59 by inserting after section 97 the following new section: 59:97-a A petition for a recount shall contain the following number of signatures as to the respective offices; governor, United States senator, or other officer voted for throughout the state, twenty-five hundred; representative in congress, fifteen hundred; councilor, or a county officer, or state senator, one thousand; member of the house of representatives, supervisor of the checklist, moderator, ward clerk or selectman, where selectmen are elected at the biennial election, one hundred fifty.

Amend section 3 of said bill by striking out the following: "RSA 56:67" in the twenty-fifth line and inserting in place thereof the following, RSA 59:97-a, so that said section as amended shall read as follows:

3 Biennial Elections, Recounts. Amend RSA 59:94 by striking out said section and inserting in place thereof the following:

59:94 Biennial Elections. If any candidate, excepting candidates for county offices and excepting as otherwise provided in this section, for whom a vote was cast and recorded for any office at a biennial election shall, before the expiration of ten days thereafter, apply in writing to the secretary of state for a recount of all the ballots cast and recorded for such office and shall state in his application the names of all opposing candidates, the secretary of state shall appoint a time for the recount not earlier than ten days after the receipt of the application. No person shall be entitled to a recount upon his own appli-

cation unless the difference between the vote cast for him, and the vote cast for his closest opposing candidate who received sufficient votes to be declared elected shall be one per cent or less of the total vote so cast for such office or for such candidates. If such difference is greater than one per cent the application of a person shall require payment to the secretary of state of the applicable fee as provided for in RSA 56:59, the number of signatures of qualified voters as provided by RSA 59:97-a and shall be in the same manner and form as provided in RSA 56:65, except that in no event shall the number of signatures so required exceed ten per cent of the total vote so cast, or, in lieu of the signatures and fee herein required, a person may agree in writing to the secretary of state to pay the full expense of such recount, in which event he shall deposit with said secretary an amount of money reasonably estimated to cover such expense, which shall be subject to an accounting at the conclusion of said recount. Any person who has requested a recount, if declared elected by reason of said recount, shall be entitled to a full refund of the fee or deposit paid by him. All contested elections for county offices shall be determined in accordance with the provisions of RSA chapter 64.

\* \* \*

At the request of Mrs. Cooper of Nashua, Mr. McMeekin of Haverhill explained the amendment.

(discussion ensued)

The amendment was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HJR 6, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, Mr. Pappagianis of Nashua for Appropriations. Ought to pass with amendment.

### Amendment to HJR 6

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of forty thousand dollars is hereby appropriated for the period beginning with the passage of this resolution and ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965 for the purpose of contributing to the operating expenses of educational television station WENH-TV, Channel 11, operated by the university of New Hampshire with the advice and counsel of the New Hampshire educational broadcasting council, inc. An additional sum of twenty thousand dollars is hereby appropriated for the fiscal year ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965, for the purposes stated above, providing that each of the above additional sums are matched by public subscriptions. The sums hereby appropriated shall be expended for the operation of WENH-TV through the New Hampshire college of agriculture and the mechanic arts and the university of New Hampshire. The governor is authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

The Clerk read the amendment in full.

Mr. Clement of Rochester explained the amendment.

The amendment was adopted and the House Joint Resolution was ordered to a third reading.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HB 615, relative to purchase of supplies by the department of resources and economic development, Mr. Ring of Hampton for Appropriations. Ought to pass.

Mr. Clement explained the bill.

The bill was ordered to a third reading.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HB 363, relating to the acquisition of certain dams and water rights on the Contoocook River by the water resources board, Mr. Gove of Concord for Appropriations. Ought to pass.

Mr. Clement explained the bill.

The bill was ordered to a third reading.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HB 430, providing for control of aquatic nuisances on Lake Winnisquam, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 430**

Amend title of said bill by striking out the words "on Lake Winnisquam" and inserting in place thereof the words, in any of the surface waters of the state, so that said title as amended shall read as follows:

providing for control of aquatic nuisances in any of  
the surface waters of the state.

Amend section 1 of the bill by striking out in the fourth line the words "waters of Lake Winnisquam" and inserting in place thereof the words, surface waters of the state as defined in RSA 149, so that said section shall read as follows:

1 Appropriation. The sum of twenty-four thousand dollars is hereby appropriated to be expended by the water pollution commission in the chemical control of aquatic nuisances in the surface waters of the state as defined in RSA 149. The commission is authorized to utilize such methods of application and to engage such personnel and equipment as, in its judgment, will provide optimum control results in the waters to be treated. The sum hereby appropriated shall be a charge upon the general funds of the state and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

\* \* \*

The Clerk read the amendment in full.

Mr. Clement explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HB 439, continuing the appropriation for expansion of the state park system, Mr. Bruton of Manchester for Appropriations. Ought to pass with amendment.

### **Amendment to HB 439**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Expansion of State Park System. Amend 1961, 263:5, by adding at the end thereof the words and figures: The funds appropriated herewith shall be available for expenditure until June 30, 1965, so that said section as amended shall read as follows: 263:5 Appropriations. A sum not exceeding nine million dollars is hereby appropriated for the purposes and projects authorized by the foregoing sections, as approved by the governor and council, provided nevertheless, that no project shall be approved by the governor and council unless a public hearing has been held thereon. The funds appropriated herewith shall be available for expenditure until June 30, 1965.

Further amend the bill by striking out section 3 and inserting in place thereof the following.

3 Projects. Amend RSA 216-A:5 as inserted by 1961, 263:13 by striking out the same and inserting in place thereof the following: 263:13 Recommendation of Projects. At such time as the department of resources and economic development shall have been established, the recommendations to governor and council, which shall be initiated by the director of parks, the advisory commission to the department of resources and economic development, or by the director of parks and said advisory commission jointly, in respect to any project shall have appended thereto a statement of opinion on said project from the advisory commission to the department of resources and economic development. Projects may also be initiated by the

governor and council under the same conditions as provided herein.

4 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

On motion of Mr. Clement reading of the amendment was dispensed with.

Mr. Clement explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

### **Personal Privilege**

Mr. Pappagianis of Nashua rose on a point of personal privilege to introduce Speaker Lamprey's son George.

\* \* \*

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

SB 12, relative to costs of educating intellectually retarded children, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

### **Amendment to SB 12**

Amend section 1 of said bill by striking out the word "shall" in the fourth line and inserting in place thereof the word, may, so that said section will read as follows:

1 Full Cost. Amend RSA 186:50-f (supp) as inserted by 1961, 226:1 by striking out said section and inserting in place thereof the following: 186:50-f The state may pay to a school district for the education of each child in an approved class the state average cost per pupil for elementary pupils as determined by the state board of education under the provisions of RSA 193:4 for each resident pupil in average daily membership.

\* \* \*

The Clerk read the amendment in full.



Mr. Clement explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to allow a public hearing on the following bills without being advertised in the Journal for two days.

HJR 40, in favor of Earl Hill of Pittsfield.

HB 608, providing compensation for persons damaged by limitations on signs on interstate highways.

HB 596, adopting uniform Narcotic Drug Act.

HB 563, for the establishment of authorized regional enrollment (AREA) schools and creating the N. H. school building authority.

HB 513, relating to grants to cooperative school districts.

SB 108, relative to the application of federal funds for Civil Defense.

### **Point of Information**

Mr. Clement of Rochester rose on a point of information.

\* \* \*

Mr. Hill of Conway moved that the rules of the House be so far suspended as to allow the introduction of a committee report not previously advertised in the Journal.

The motion was adopted.

HB 595, relative to 1963 town meeting in the town of Windham, Mr. Hanson of Bow for Municipal and County Government. Ought to pass with amendment.

### **Amendment to HB 595**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act legalizing action relative to zoning at  
various town meetings.

Amend said bill by striking out all after the title and inserting in place thereof the following:

*Whereas*, certain towns at their annual meetings in March, 1963 had in their respective warrants articles relative to zoning; and

*Whereas*, on February 21, 1963 an amendment was passed to the zoning laws, Laws 1963, c. 5, which changed the procedure for the adoption of zoning ordinances; and

*Whereas*, such legislation was not adopted in time for towns to comply with its changed requirements; now, therefore,

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Proceedings Legalized. The method of enactment of zoning regulations in the following named towns, adopted at the respective annual town meetings in 1963 are hereby legalized and ratified, notwithstanding the provisions of RSA 31:63-a, as inserted by 1963, 5:2. The towns covered by this section are: Atkinson, Bow, Bedford, Chesterfield, Dublin, Durham, East Kingston, Gilford, Goffstown, Greenland, Hampstead, Hampton, Hampton Falls, Hooksett, Kingston, Madbury, Marlboro, Mont Vernon, New Castle, Plymouth, Rindge, Salem, Swanzey and Windham.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The Clerk read the amendment in full.

Mr. Hanson of Bow moved that HB 595 be laid on the table.

The motion was adopted.

Mr. Hanson of Bow moved that the rules of the House be so far suspended as to allow the introduction of a committee report not previously advertised in the Journal.

SB 70, authorizing the adoption of fire prevention codes by cities. Mr. Hanson of Bow for Municipal and county Government. Ought to pass with amendment.

Mr. Hanson explained the amendment.

#### Amendment to SB 70

Amend said bill by inserting after section 1 the following new section:

2 Fire Codes. Amend RSA 156-A:1 (supp) as inserted by 1959, 215:1, by adding at the end of said section the following sentence: Like authority is hereby granted to any town by ordinance to adopt by reference thereto in such ordinance the fire prevention code recommended by the National Board of Fire Underwriters or any other nationally recognized code, rules or regulations for the prevention of fires, so that said section as amended shall read as follows: 156-A:1 Grant of Power. Any town at any annual or special meeting, under an article in the warrant for said meeting, is hereby authorized and empowered by ordinance to adopt by reference thereto in such ordinance any nationally recognized code, rules or regulations for the construction of buildings, or relating to the installation of plumbing, the use of concrete masonry, metal, iron, wood and other building material, the installation of electric wiring and fire protection incident thereto which have been printed as a code in book form, or any portion thereof. Like authority is hereby granted to any town by ordinance to adopt by reference thereto in such ordinance the fire prevention code recommended by the National Board of Fire Underwriters or any other nationally recognized code, rules or regulations for the prevention of fires.

Further amend said bill by renumbering section 2 to read section 3.

The Clerk read the amendment in full.

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

The following Senate bill was introduced to the House on Tuesday, June 18, and referred to the Nashua Delegation.

SB 132, providing for the integration of the present non-contributory pension system of the city of Nashua with old age and survivors insurance. (Rules — Paquette)

1 City of Nashua, Pension Plan. Amend Sect. 11-a of chapter 226 of the Laws of 1923 as inserted by 1959, 384:1, by striking out said section and inserting in place thereof the following: Sect. 11-a. The retirement system now in effect shall be integrated with the old age and survivors insurance system so that for all employees or city officials eligible for pension and with

less than twenty-five years' service, the social security benefits will be offset against the benefits payable under the city retirement system; that for all employees or city officials eligible for pension with twenty-five years or more service and less than thirty years' service, one-half of the social security benefits will be offset against the benefits payable under the city retirement system; that for all employees or city officials eligible for pension and with thirty years' service or more, the social security benefits will not be offset against the benefits payable under the city retirement system. Provided that no city employee or official will be eligible for a retirement pension until said employee or official has reached the age of sixty or has completed thirty years of service for the city, except that the sixty-year age limitation or the thirty years of service limitation will not apply to employees or officials who have completed twenty years of service with the city on or before July 1, 1963.

2 Takes Effect. This act shall take effect sixty days after its passage.

### **Committee Reports (cont.)**

HB 631, relative to political expenditures by special committees. Mrs. Ainley of Manchester for Judiciary. Ought to pass.

The bill was ordered to a third reading.

### **Reconsideration**

Mr. Hughes of Brookfield served notice that today, or some subsequent day, he will ask the House to reconsider its action whereby it killed HB 583, providing state aid for transportation of school pupils in school districts having no schools.

### **Reports (cont.)**

HB 178, relative to the travel allowance of members of the general court, Mr. McAllister of Barnstead for Mileage. Inexpedient to legislate.

The resolution was adopted.

Mr. Hanson of Bow moved that HB 595, relative to 1963 town meeting in the town of Windham, be taken from the table.

The motion was adopted.

Mr. Hanson explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

### **Reports (cont.)**

HB 548, relating to final payments to contractors on public contracts, Mr. Taft of Greenville for Public Works, refer to the Legislative Council or Legislative Services Commission.

The resolution was adopted.

HB 625, relative to motor vehicle road toll refunds for transit companies operating within municipalities and providing for the incorporation of a public authority for the purpose of the operation of such transit companies, Mr. Taft of Greenville for Public Works. Ought to pass with amendment.

### **Amendment to HB 625**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

#### **An Act**

providing for the incorporation of a public authority for the purpose of the operation of transit companies operating within municipalities.

Amend section 1 of said bill by striking out the same.

Amend RSA 38-A:11 as inserted by section 2 of said bill by striking out the same and inserting in place thereof the following:

38-A:11 Bonds. The revenue bonds of the authority shall, upon default in any payment of interest or principal, become a debt of the city or town in which the authority operates. Neither the members of the authority nor any person executing bonds on behalf of the authority shall be personally liable thereon by reason of the issuance thereof. Revenue bonds issued by the authority hereunder shall be authenticated and validated in accordance with the procedure set forth in RSA 33:11, and when validated the judgment of validation shall be final and conclusive with respect to such certificates and against the authority.

Further amend said bill by renumbering section 2 to read section 1, and renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 51, providing for the construction of a bridge parallel to the General Sullivan bridge, Mr. Taft of Greenville for Public Works. Ought to pass.

Mr. Grimes of Dover moved that SB 51 be indefinitely postponed and spoke in favor of the motion.

Mr. Taft of Greenville spoke against the motion.

The motion to indefinitely postpone was lost.

The bill was referred to Appropriations under the Rules.

HB 471, adopting certain provisions of the uniform vehicle code, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

#### **Amendment to HB 471**

Amend RSA 262-A:1, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

262-A:1 Vehicles on Highways; Exceptions. The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except where a different place is specifically referred to in a given section.

Amend 262-A:18, as inserted by section 1 of the bill by striking out paragraph II, and further amend said section by renumbering paragraph III to read paragraph II.

Amend the first paragraph of 262-A:23, as inserted by section 1 of the bill, by striking out the words "with a solid line" in the third line so that said paragraph as amended shall read as follows:

262-A:23 Driving on Roadways Laned for Traffic. Whenever any roadway has been divided into two or more lanes

clearly marked for traffic the following rules in addition to all others consistent herewith shall apply:

Amend RSA 262-A:46 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

262-A:46 All Vehicles Must Stop at Certain Railroad Grade Crossings. The public utilities commission is hereby authorized to designate particularly dangerous highway grade crossings of railroads and to order stop signs erected thereat. It shall be the duty of the commissioner of public works and highways when ordered by said commission to erect such stop signs at such designated crossings where said highways are under his jurisdiction. Local communities shall when ordered by the public utilities commission erect such stop signs on highways within their jurisdiction. When such stop signs are erected the driver of any vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad and shall proceed only upon exercising due care.

Amend paragraph II of RSA 262-A:47 as inserted by section 1 of the bill by adding at the end thereof the following, or by motor vehicles engaged in the common and contract carriage of passengers for hire when exempt by order of the public utilities commission, so that said paragraph as amended shall read as follows:

II. No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed, or by motor vehicles engaged in the common and contract carriage of passengers for hire when exempt by order of the public utilities commission.

Amend paragraph II of RSA 262-A:17 as inserted by section 1 of the bill by striking out in the first line the words "when attempting to pass another vehicle" so that said paragraph as amended shall read as follows:

II. The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Amend paragraph B of RSA 262-A:54 as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

B. The *prima facie* speed limits set forth in this section may be altered as authorized in section 56.

Amend said bill by inserting after section 3 the following new section:

4 Painted Lines. Amend RSA 263:32 by striking out the same and inserting in place thereof the following:

263:32 Highway Markings. The commissioner of public works and highways and, subject to his approval, selectmen of any town or board of mayor and aldermen or group having similar powers in any city, having control of any highway may order such marking of highway, by painted lines, as is deemed necessary to the safe and efficient use of any such highway. In ordering or approving such marking the commissioner of public works and highways insofar as is practicable shall conform to nationally accepted standards and any marking of the highway by painted lines shall *prima facie* be deemed to be approved or ordered by the commissioner of public works and highways.

Amend paragraph II of RSA 262-A:54 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

II. Where no hazard exists that requires lower speed for compliance with paragraph I of this section, the speed of any motor vehicle not in excess of the limits specified in this section or established as hereinafter authorized shall be *prima facie* lawful, but any speed in excess of the limits specified in this section or established as hereinafter authorized shall be *prima facie* evidence that the speed is not reasonable or prudent and that it is unlawful.

(a) Twenty miles per hour when passing a school during recess or while children are going to or leaving school during opening or closing hours;

(b) Twenty-five miles per hour in any business or urban residence district;



(c) Thirty-five miles per hour in any rural residence district, and on any class V highway outside the compact part;

(d) Fifty miles per hour in other locations.

The prima facie speed limits set forth in subparagraph (d) hereof may be altered by the commissioner of public works and highways by the establishment of speed zones under the provisions of section 56.

Amend RSA 262-A:56 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

262-A:56 Establishment of State Speed Zones. Whenever the commissioner of public works and highways shall determine upon the basis of an engineering and traffic investigation that any prima facie speed limit hereinbefore set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of the state highway system, outside the compact part of cities or towns, said commissioner may determine and declare a reasonable and safe prima facie speed limit thereat which shall be effective when appropriate signs giving notice thereof are erected. Such a prima facie speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs. The commissioner shall keep and maintain a full and complete record of all speed zones established by him and all alterations, amendments or removal thereof.

Amend paragraph II of RSA 262-A:57 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

II. Whenever the commissioner of public works and highways determines on the basis of engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic the commissioner may determine and declare a minimum prima facie speed limit.

Amend RSA 262-A:60 as inserted by section 1 of said bill by striking out the word "maximum" in the sixth and eighth lines and inserting in place thereof the words, prima facie, so that said section as amended shall read as follows:

RSA 262-A:60 Charging Violations and Rule in Civil Actions. I. In every charge of violation of any speed regulation in this chapter the complaint, also the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven, also the prima facie speed applicable within the district or at the location.

II. The provision of this chapter declaring prima facie speed limitations shall not be construed to relieve the plaintiff in any action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

Further amend said bill by renumbering sections 4 and 5 to read 5 and 6.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 574, relative to the stock in trade tax, Mr. Hancock of Concord for Ways and Means. Ought to pass with amendment.

### **Amendment to HB 574**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. Personal Estate. Amend paragraph 1 of RSA 72:15 by striking out said paragraph and inserting in place thereof the following:

I Stock in Trade. Stock in trade, whether of merchants, shopkeepers, mechanics or tradesmen employed in their trade or business, reckoning the same at the average value thereof for the year; and for purposes of taxation, raw materials and manufactures of any manufactory, wood, timber, logs, and lumber, manufactured or otherwise, if exceeding fifty dollars in value, and fishing vessels, steamboats, or other vessels owned by individuals and navigating the waters of the state for the transportation of passengers or freight, and seagoing vessels shall be deemed stock in trade, except as provided in section 21 of this chapter, and in chapter 73, section 15 of the Revised Statutes Annotated. All manufactures of a manufactory held by the manufacturer after the title has passed to a bona fide purchaser, for delivery

outside of this state, sometimes called "bill and hold goods", shall not be subject to taxation.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 612, relative to re-examination of motor vehicle operators over seventy years of age. Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

### **Amendment to HB 612**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Motor Vehicle Operators. Amend RSA 261:3-a (supp) as inserted by 1955, 294:1 and amended by 1957, 25:1, by striking out said section and inserting in place thereof the following: 261:3-a Re-examination. The director, division of motor vehicles, may require with cause any person holding a license to operate motor vehicles or applying for re-issue of such license to pass such examination as to his qualifications as the director shall prescribe. No license shall be re-issued to such person or continued in effect until the director is satisfied as to such person's fitness to operate a motor vehicle. Every person upon reaching his seventy-fifth birthday shall demonstrate his physical and mental qualifications to hold a license by examination, as prescribed by the director.

\* \* \*

At the request of Mr. Stafford of Laconia, Mr. Claflin explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

Mr. Gay of Derry moved that the Rules of the House be so far suspended as to place HB 633, relating to the veterans service exemption, on the calendar for tomorrow.

The motion was adopted.

### Point of Inquiry

Mr. Feldman of Manchester rose on a point of inquiry concerning the vote whereby the House (during yesterday's session) Indefinitely Postponed HB 43, providing for hearing in cases of suspension or revocation of liquor licenses or permits.

Mr. Feldman questioned the presence of a quorum at that time.

The Chair stated that before calling for the division vote on the question he carefully observed the House and that in his opinion the necessary quorum was present. The Chair further stated that the question of a quorum should only properly be raised at the time of the vote. The Chair informed Mr. Feldman that he was privileged to appeal the ruling of the Chair to the House.

Mr. Feldman so appealed.

Messrs. McMeekin of Haverhill and Pickett of Keene spoke in support of the ruling of the Chair.

On a division vote the ruling of the Chair was manifestly upheld.

\* \* \*

Mr. Larty of Haverhill moved that the Rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

(discussion ensued)

The motion was adopted.

HB 592, imposing taxes on the net income of all businesses, services and business operations conducted within the state, and providing for the abolition of certain taxes, Mr. Dufferer of Ossipee for Ways and Means. Ought to pass with amendment.

### Amendment to HB 592

Amend the title of said bill by striking out the same and inserting in place thereof the following: An Act establishing an interim commission to consider a substitute for the stock-in-trade tax.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Interim Commission. There is hereby established an interim commission whose function it shall be to study the stock-in-trade taxes imposed by the laws of the state and to recommend a substitution or substitutes therefor. Said commission shall be composed of five members, one of whom shall be appointed by the speaker of the house of representatives and who shall be chairman of the commission, one of whom shall be appointed by the president of the senate who shall be vice-chairman of the commission, and three of whom shall be appointed by the governor, one of whom shall be a manufacturer, one of whom shall be a retailer and one of whom shall represent the profession. The members of the commission shall serve without compensation, but shall be reimbursed for their necessary expenses and for clerical assistance. The commission shall render its report, including drafts of appropriate legislation, to the 1965 session of the general court. The sum of two thousand five hundred dollars is hereby appropriated for the purposes of this chapter, and the governor is hereby authorized to draw his warrant for said sum out of any monies in the treasury not otherwise appropriated.

2 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

Mr. Diffenderfer explained the amendment.

Mr. Spanos of Newport spoke against the amendment.

Mr. Taft of Greenville spoke in favor of the amendment.

Mr. Urie of New Hampton moved that further consideration of HB 592 be laid on the table for 11:01 tomorrow.

The motion was not adopted.

The question being on the committee amendment.

Mr. Bednar of Hudson spoke in favor of the amendment.

Mr. Peterson of Peterborough and Mrs. Palmer of Plaistow spoke in favor of the amendment.

Mr. Urie of New Hampton moved the previous question and it was sufficiently seconded.

The motion was adopted.

The amendment was adopted and the bill was referred to Appropriations under the Rules.

Mr. Larty of Haverhill moved that the rules of the House be further suspended as to dispense with reference to committee on HB 592 and that the bill be placed on third reading and final passage at 3:00 this afternoon.

The motion was adopted and the bill was ordered to a third reading.

### **Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 475, relating to trustee process on banks and similar corporations.

### **Amendment to HB 475**

Amend the bill by striking out section 1 and inserting in place thereof the following new section:

1 Trustee Process. Amend RSA 512 by inserting after section 9-a (supp) as inserted by 1959, 102:1, the following new section: 512:9-b Bank Accounts. When a bank, trust company, building and loan association or similar corporation is named as trustee, the trustee shall be summoned by service on an officer, person in charge, teller or office employee of such bank, trust company, building and loan association or similar corporation at its office if service is made during banking hours, and if service is made at a time other than banking hours, by serving on an officer, of such bank, trust company, building and loan association or similar corporation, and not otherwise.

\* \* \*

(Mr. Pickett of Keene in the Chair)

On motion of Mr. Totman of Alstead the House non-concurred in the Senate amendment and a committee of conference was appointed.

The Chair appointed Messrs. Totman of Alstead, Moran of Manchester and Johnson of Hanover as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 12, providing for a commission to study the state constitution.

### Amendment to HB 12

Amend the bill by striking out section 5 and inserting in place thereof the following new section:

5 Appropriation. The sum of ten thousand dollars is hereby appropriated for the commission to be expended as herein provided. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

\* \* \*

Mr. Hill of Conway moved that the Rules of the House be so far suspended as to permit a hearing on SB 67, relative to the power of the town of Hampton to make by-laws, not advertised in the Journal for two days.

The motion was adopted.

\* \* \*

Mr. O'Neil of Chesterfield moved that the Rules of the House be so far suspended as to permit a report tomorrow on SB 68, relative to reorganization of public higher education in New Hampshire, not advertised in the Journal for two days.

Mrs. Brown of Sandwich spoke in favor of the motion.

The motion was adopted.

\* \* \*

Mr. Taft of Greenville moved that the Rules of the House be so far suspended as to permit a hearing on HB 649, relative to construction of an access road to Ragged Mountain in the town of Danbury, not advertised in the Journal for two days.

The motion was adopted.

### Senate Messages

The Senate message announced that the Senate has passed the following concurrent resolution, in the passage of which it asks the concurrence of the House of Representatives:

Concurrent Resolution:

#### Special Interim Uniform Vehicle Laws Study Committee

*Whereas*, the Special Interim Uniform Vehicle Laws Study Committee created by the 1961 session of the New Hampshire General Court has completed the comparison of our rules-of-the-road laws with the corresponding section of the Uniform Vehicle Code and will report to the current session with recommended legislation to bring our traffic laws into closer conformity with the Code; and

*Whereas*, the task of comparison and preparation of corrective legislation were so time consuming that only a comparison of the rules-of-the-road section of the Code was completed; and

*Whereas*, comparison with other sections of the Uniform Vehicle Code should be completed, including certificates of title, registration of vehicles, operator's and chauffeur's licenses, civil liability, accidents and accident reports, equipment of vehicles, and others; and

*Whereas*, it is important that a complete job be done so that our enforcement agencies will have the best and most modern motor vehicle laws possible to administer to the end that there may be a safe and efficient flow of vehicles over our streets and highways;

*Therefore be it Resolved*, that another special interim uniform vehicle laws study committee be authorized to continue the comparison of our state's motor vehicle laws with the Uniform Vehicle Code and prepare legislation to be presented



to the next session of the Legislature to bring our state's traffic laws into closer conformity with the provisions of the Code; and

*Be it Further Resolved*, that the committee shall consist of three members of the Senate to be appointed by the President of the Senate; four members of the House to be appointed by the Speaker of the House; the Commissioner of Safety; the Attorney General; and five citizens at large, representing organized groups of motor vehicle owners and industries associated with highway transportation, to be appointed by the Governor; and

*Be it Further Resolved*, that any funds which may be necessary for the hiring of extra personnel to do the actual job of comparison and preparation of legislation may be taken from the budget of the Department of Safety.

On motion of Mr. Kearns of Manchester, reading of the resolution was dispensed with.

Mr. Claflin explained the resolution.

The House concurred in the Concurrent Resolution.

\* \* \*

Mr. Hancock of Concord moved that the Rules of the House be so far suspended as to permit the introduction of a committee report tomorrow not advertised in the Journal on HB 628, relative to the practice of chiropractic.

The motion was adopted.

### Senate Messages

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 252, authorizing the establishment of conservation commissions by cities and towns.

HB 221, relative to state guarantee of municipal bonds and water pollution projects.

HB 374, granting tenure to the superintendent of the Strafford County Farm.

HB 463, relative to tenure of office of the chief of police of the city of Dover.

HB 371, relating to curfew regulations in Rochester.

HB 466, relating to extradition of juveniles.

HB 516, relative to penalties for violation of meter parking at Hampton Beach.

HB 549, relative to compensation of policemen in the city of Portsmouth.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 45, to provide special rates for residents at state-owned ski facilities.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 221, An act relative to state guarantee of municipal bonds and water pollution projects.

HB 252, An act authorizing the establishment of conservation commissions by cities and towns.

HB 371, An act relating to curfew regulations in Rochester.

HB 374, An act granting tenure to the superintendent of the Strafford County Farm.

HB 463, An act relative to tenure of office of the chief of police of the city of Dover.

HB 466, An act relating to extradition of juveniles.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon

\* \* \*

Mr. Larty of Haverhill moved that the order whereby the following Senate bills were referred to Ways and Means be vacated and that the bills be referred to Transportation.

SB 103, adopting the bus taxation proration and reciprocity agreement.

SB 109, adopting the compact on taxation of motor fuels consumed by interstate buses.

SB 46, relative to motor vehicle road tolls.

The motion was adopted.

\* \* \*

Mr. Lamprey of Moultonborough moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 594, authorizing N. H. College of Accounting and Commerce to grant degrees, read a third time, passed, and sent to the Senate for concurrence.

Mr. Lamprey of Moultonborough moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

SB 64, abolishing the school district of Wentworth's Location and transferring the education of children in Wentworth's location to the state, read a third time, passed, and sent to the Secretary of State to be Engrossed.

Mr. Lamprey of Moultonborough moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HJR 6, relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham, read a third time, passed, and sent to the Senate for concurrence.

(Speaker in the Chair)

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 615, relative to purchase of supplies by the department of resources and economic development, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 363, relating to the acquisition of certain dams and water rights on the Contoocook River by the water resources board, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 430, providing for aquatic nuisances in any of the surface waters of the state, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

SB 12, relative to costs of educating intellectually retarded children, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

SB 70, authorizing the adoption of fire prevention code by cities, was read a third time, passed and sent to the Senate for concurrence in the House amendment.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 631, relative to political expenditures by special committees, was read a third time, passed and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 595, legalizing action relative to zoning at various town meetings, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 625, providing for the incorporation of a public authority for the purpose of the operation of transit companies operating within municipalities, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

Mr. Pickett of Keene moved that the rules of the House be so far suspended as to place the following bill on third reading and final passage at the present time by title only.

HB 439, continuing appropriation for expansion of state park system, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the rules of the House be so far suspended as to place the following Senate bill on third reading and final passage at the present time by title only.

SB 37, relative to recounts, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

HB 471, adopting certain provisions of the uniform vehicle code, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 574, relative to the stock in trade tax, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 612, relative to re-examination of motor vehicle operators over seventy years of age, was read a third time, passed, and sent to the Senate for concurrence.

Mr. Pickett of Keene moved that the Rules of the House be so far suspended as to place the following bill on third reading and final passage by title only at the present time.

HB 592, establishing an interim commission to consider a substitute for the stock-in-trade tax, was read a third time, passed, and sent to the Senate for concurrence.

### **Personal Privilege**

Mr. Pickett of Keene rose on a point of personal privilege.

### **Recess**

### **After Recess**

Mr. Claflin of Wolfeboro moved that the Rules of the House be so far suspended as to permit public hearings without sufficient notice in the Journal on the following bills:

SB 46, SB 103 and SB 109.

The motion was adopted.

### **Senate Messages**

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 106, relative to continuous financial responsibility certificates.

SB 122, providing for an executive secretary for the cancer commission.

SB 127, to give authority to the director of the division of mental health to make transfers of residents between the Laconia state school and the state hospital.

SB 110, authorizing insurance companies to join together to offer senior citizens of New Hampshire health insurance against major financial loss.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 106, relative to continuous financial responsibility certificates, to Insurance.

Mr. Wheeler of Exeter moved that the rules of the House be so far suspended as to dispense with the public hearing on SB 106 and that it be placed on the calendar for Thursday next.

Mr. Wheeler explained the motion and the motion prevailed.

\* \* \*

SB 127, to give authority to the director of the division of mental health to make transfers of residents between the Laconia state school and the state hospital, to Public Welfare and State Institutions.

SB 122, providing for an executive secretary for the cancer commission, to Public Welfare and State Institutions.

Mr. MacDonald of Concord moved that the Rules of the House be so far suspended as to permit public hearings on Tuesday next on SB 122 and SB 127.

SB 110, authorizing insurance companies to join together to offer senior citizens of New Hampshire health insurance against major financial loss, to Insurance.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives.

HB 318, relative to branch banking and bank holding affiliates.

HB 270, relative to use of poisons for the control of certain birds.

HB 370, relative to the purity of foods and drugs.

HB 390, to authorize the change of name of Wentworth Hospital and Wentworth-Dover City Hospital to Wentworth-Douglass Hospital.

HB 456, relative to weights and lengths of certain vehicles.

HB 391, relative to motor vehicle operation and registration.

HB 413, relative to emergency lights on motor vehicles and penalty for vehicle overload.

HB 188, relative to the construction of a new instructional building and the remodeling of certain present buildings at the University of New Hampshire.

HB 579, to amend the charters of various savings banks.

HB 504, relative to inter-bank deposits.

HB 528, relative to investment of funds of the University of New Hampshire.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 378, relative to reporting after motor vehicle accidents.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

SB 12, relative to cost of educating intellectually retarded children.

SB 70, authorizing the adoption of fire prevention codes by cities.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 180, relative to the incorporation of trust companies.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 State Treasurer. Amend RSA 392:1 by striking out the words "deputy bank commissioner" in the first and second lines and inserting in place thereof the words, state treasurer, so that said section as amended shall read as follows: 392:1 Incorporation Board. The bank commissioner, the state treasurer and the attorney-general shall constitute a board for the incorporation of trust companies and other corporations of a similar character, shall be known as the board of trust company incorporation, and shall receive no compensation for services on this board. The deputy bank commissioner shall serve as clerk of the board. Provided, that



if at the effective date of this act there shall be pending any matter before the board as constituted prior to such effective date, the board as so constituted shall remain in existence with respect to such matter and shall retain jurisdiction thereof until final decision shall have been rendered thereon.

Mr. Hambleton of Goffstown moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Reddy of Contoocook, Hambleton of Goffstown and Pratt of Keene as conferees on the part of the House.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives:

SB 37, relative to recounts.

and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate Senator Monahan and Senator Martel.

Mr. Smith of Concord moved that the House accede to the request of the Senate and the Chair appointed Messrs. Smith of Concord, Cobleigh of Nashua and Morse of Enfield as conferees on the part of the House.

Mrs. Taylor of Whitefield moved that the Rules of the House be so far suspended as to allow committee reports to be placed on the calendar for tomorrow:

HB 106, HJR 21, HB 478, HB 483, HB 54, HB 214, HB 38.

The motion prevailed.

Mr. Ferguson of Milford moved that the Rules of the House be so far suspended as to allow committee reports to be placed on the calendar for tomorrow:

HJR 10 and HB 616.

The motion prevailed.

Mr. Capistran of Manchester moved that the Rules of the House be so far suspended as to allow committee reports to be placed on the calendar for tomorrow:

SB 99 and HB 613.

The motion prevailed.

Mr. Hancock of Concord moved that the rules of the House be so far suspended as to allow committee report to be placed on the calendar for tomorrow.

HB 628.

The motion prevailed.

### Senate Message

The message announced that — see p. 1039.

Mr. Reddy of Contoocook moved that the House non-concur, and that a committee of conference be appointed.

The motion prevailed and the Chair appointed Messrs. Stevens of Epsom, Asby of Canterbury and Manning of Manchester as members of the committee.

On motion of Mrs. Tarrant of Pittsfield the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Kelley of Littleton the House adjourned at 5:32 P. M.

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THURSDAY, JUNE 20, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by Guest Chaplain, Reverend Donald R. Welles from the Christ Episcopal Church of Exeter, as follows:

O Lord God Almighty, guide, we pray thee all those to whom thou hast committed the government of this State; grant to them special gifts of wisdom and understanding; of counsel and strength; that upholding what is right and following what is true, they may obey thy holy will and fulfill thy divine purpose — we ask this in thy name.

### **Pledge of Allegiance to the Flag**

Mr. Collishaw of Exeter led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Introduction of Guests**

The Chair introduced a group from the Salem Women's Club as guests of the House today, courtesy of Mr. Morrison of Salem.

#### **Leaves of Absence**

Mr. Scott from Derry was granted leave of absence for the day on account of important business.

Mr. Marsan of Rochester was granted leave of absence for today and Friday on account of important business.

Mr. Shea of Keene was granted an indefinite leave of absence on account of illness.

#### **Committee Reports**

HB 106, relative to the relocation of a portion of the central New Hampshire turnpike, Mr. Pappagianis of Nashua for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 106**

Amend section 257-A:2, as inserted by section 1 of the bill, by striking out the same and inserting in place thereof the following: 257-A:2 Funds Provided. A sum not exceeding one million five hundred thousand dollars is hereby appropriated for acquisition of land necessary for continuation of the F. E. Ev-

erett turnpike to the New Hampshire-Massachusetts boundary and for the construction of the east Dunstable interchange.

Amend section 257-A:3, as inserted by section 1 of the bill, by striking out the words "four million dollars" and inserting in place thereof the following words: one million five hundred thousand dollars.

Amend section 257-A:4, as inserted by section 1 of the bill, by striking out the words "four million dollars" and inserting in place thereof the following words: one million five hundred thousand dollars.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HJR 21, relative to control of the Dutch elm disease, Mr. Goode of Manchester for Appropriations. Inexpedient to legislate.

The resolution was adopted.

HB 478, relative to the Beaver Brook Flood Control Project, Mrs. Hartigan of Rochester for Appropriations. Ought to pass with amendment.

### **Amendment to HB 478**

Amend said bill by striking out section 2; and further amend said bill by renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 483, providing for the acquisition of certain water rights and dams controlling the headwaters of the Salmon Falls River, Mr. Belcourt of Nashua for Appropriations. Ought to pass with amendment.

### **Amendment to HB 483**

Amend said bill by striking out section 2; and further amend said bill by renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 54, providing for the acquisition of a certain dam and water rights by the water resources board, Mr. Belcourt of Nashua for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 54**

Amend said bill by striking out section 2; and further amend said bill by renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 214, relative to state participation in water pollution control costs, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 214**

Amend the bill as amended by striking out all after section 1 and inserting the following new sections:

2 Appropriation. There is hereby appropriated for the water pollution commission for the purpose of carrying out the provisions of section 1 herein the sum of four hundred seventy six thousand dollars of which sum three hundred thirty eight thousand dollars shall be a charge upon the general fund of the state and one hundred thirty eight thousand dollars shall be obtained as provided in section 3 hereof.

3 Borrowing Power. To provide funds in the sum of one hundred thirty eight thousand dollars, as appropriated in section 2 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding the said one hundred thirty eight thousand dollars, and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the

faith and credit of the state. Such bonds or notes shall be paid within a period of twenty years.

4 Payments. The payment of principal and interest on the bonds and notes issued under section 3 hereof shall be made when due from the general funds of the state.

5 Accounts. The secretary of state shall keep an account of all bonds or notes authorized hereunder countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer, and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

6 Short Term Notes. Prior to the issuance of bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of notes hereunder, provided, however, that at no time shall the indebtedness of the state on short term loans exceed the sum of one hundred thirty eight thousand dollars.

7 Sale of Bonds or Notes. All bonds or notes except short term loans issued under the provisions of this act shall be sold at public sealed bidding to the highest bidder provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

8 Existing Disposal Systems. These municipalities which have undertaken construction, as defined in RSA 149-B:1 since July 1, 1947, are hereby declared entitled to payment retroactively for the additional payment of ten percent authorized by the above amendment to said 149-B:1. Each municipality shall receive its total retroactive payments in a lump sum payment. Applications for payments under this section shall be made to the water pollution commission in accordance with rules and regulations of the commission for such retroactive payments.

9 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 38, establishing a legislative services committee, Mr. Sheridan of Berlin for Appropriations. Ought to pass with amendment.

### **Amendment to HB 38**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

#### **An Act**

providing for a director of legislative services.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Legislative Services. Amend RSA by inserting after chapter 17 the following new chapter: Chapter 17-A. Director of Legislative Services.

17-A:1 Office Established. There shall be a director of legislative services, appointed as hereinafter provided, who shall have the following functions and duties:

I. To draft bills for both houses of the general court and the individual members and incoming members thereof, both during sessions and while the general court is not in session, and to check and examine all bills and joint resolutions prior to final engrossment.

II. Pursuant to the direction of the president of the senate and the speaker of the house, to perform or cause to be performed, as circumstances will permit, research and drafting services requested by any committee of the general court in connection with the performance of its functions; to give such consideration to and service concerning any measure before the general court as circumstances will permit and which is in any way requested by the house or senate or any committee of the general court having the matter before it; to assist and cooperate with any interim legislative committee or commission, and to approve all manifests for the expenditure of funds by such interim committees and commissions. Research and drafting assignments made to him by joint or concurrent action of the general court shall be given priority over other research and drafting requests received.

17-A:2 Appointment. A special committee composed of the president of the senate, the speaker of the house of representatives, the minority leader of the house, the minority leader of the senate, the chairman of the senate finance committee and the chairman of the house appropriations committee, shall appoint the director of legislative services and fix his salary. He shall hold office for a term of four years from the date of his appointment and until his successor is appointed. He shall be chosen without reference to party affiliation and solely on the ground of his fitness, qualifications and experience to perform the duties of his office. In the performance of its duties under this chapter, said special committee may act whether or not the general court is then in session; and four members thereof shall constitute a quorum.

17-A:3 Office. The director of legislative services shall maintain a permanent office in the state house where he shall be provided with suitable and sufficient offices convenient to the chambers of the house and senate and shall be in attendance upon all sessions of the general court. Said office shall be kept open during the time provided for other state offices, and when the general court is in session at such hours, day and night, as are most convenient for members of the general court.

17-A:4 Assistants. The director may, subject to the approval of the special committee hereinbefore referred to, appoint and fix the compensation of such additional professional, technical, clerical or other employees necessary to perform his functions and duties under this chapter. He may, subject to like approval, designate one of said employees to be his deputy to act in his absence.

2 Cities and Towns. Amend RSA 14:6-a (supp) as inserted by 1959, 56:1, by striking out the words "legislative drafting service in the office of the attorney general" in the third and fourth lines and inserting in place thereof the words, director of legislative services; and by striking out the word "service" in the seventh and ninth lines and inserting in place thereof the word, director, so that said section as amended shall read as follows: 14:6-a Notice Required. Whenever there is introduced into either branch of the general court a private act which relates to a particular town or city or other political subdivision the director of legislative services shall forthwith send copies thereof to the board of selectmen of the town, governing



body of the city or executive head of the political subdivision concerned and to the clerk of the town, city or political subdivision. Said director may also forward copies of the bill to any other officials of the municipality who, in the judgment of the director, should receive notice of the introduction of said bill.

3 Advance Drafting. Amend RSA 14:39 by striking out the words "attorney general as provided in section 36, supra," in the sixth and seventh lines and inserting in place thereof the words, director of legislative services as provided in RSA 17-A, so that said section as amended shall read as follows: 14:39 Proposed Bills. Any senator-elect or representative-elect, on and after December first, may file with the secretary of state such bills as he desires to introduce. The secretary of state, at some convenient time during the month of November, shall notify each senator-elect and representative-elect of the provisions of this section and of the availability of the bill drafting service in the office of the director of legislative services as provided in RSA 17-A. Such notice shall, if possible, be given coincidentally with the mailing of the roster of new members to each member-elect. Eleven hundred copies of each bill shall be printed and a copy furnished to any citizen who may apply therefor. The secretary of state shall cause the original type used in the composition of said bills to be retained until at least ten days after the convening of the general court, in the event that further copies of said bills may be necessary. Not later than the second day of the session, the secretary of state shall file the bills and all undistributed copies with the clerk of that branch of the legislature in which the respective bills are to be introduced.

4 Repeal. RSA 14:36-38, inclusive, relative to the legislative service for the drafting of bills in the office of the attorney general, are hereby repealed.

5 Appropriation. There is hereby appropriated the sum of thirty thousand dollars for the fiscal year ending June 30, 1964, and a like sum for the fiscal year ending June 30, 1965, for the office of the director of legislative services. An additional sum of five thousand dollars for the fiscal year ending June 30, 1965 is hereby appropriated for the services of a consultant to the director of legislative services with respect to the 1965 session of the general court, to be engaged by him, subject to the approval of a committee composed of the president of the senate, the speaker of the house, the minority leader of the house, the

minority leader of the senate, the chairman of the senate finance committee and the chairman of the house appropriations committee, any four of whom may act as a quorum. The sums hereby appropriated shall be a charge upon the legislative appropriation.

6 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

At the request of Mr. Stafford of Laconia, Mr. Clement explained the amendment.

(discussion ensued)

Mrs. Potter of Northumberland and Messrs. O'Neil of Chesterfield, Sheridan of Berlin, Peterson of Peterborough and Mrs. Clark of Lee spoke in favor of the amendment.

(discussion ensued)

Mr. Newell of Concord spoke against the amendment.

The amendment was adopted.

Mr. Clement of Rochester offered the following amendment and moved its adoption.

### **Amendment to HB 38**

Amend said bill as amended by inserting after RSA 17-A:4 as inserted by section 1 of said bill, the following new section:

17-A:5 Attorney General's Office. The director may call upon the attorney general's office for technical, clerical, and other assistance in the performance of his duties hereunder; and, subject to the availability of personnel, such assistance shall be made available. Any regular employee of the attorney general's office engaged in such legislative service shall receive, in addition to his classified salary, such additional compensation for overtime work performed as the attorney general may determine, subject to the approval of the general court. The additional compensation provided herein shall be a charge upon the appropriation for the legislature.

\* \* \*

The Clerk read the amendment in full.

The amendment was adopted and the bill was ordered to a third reading.

HJR 39, providing for an investigation and study by a special commission relative to loans and credit, Mr. Bigelow of Warner for Banks, Inexpedient to legislate.

The resolution was adopted.

HB 637, relative to auto sales financing, Mr. Bigelow of Warner for Banks. Refer to the Bank Advisory Board.

The report of the committee was adopted.

SB 106, relative to continuous financial responsibility certificates, Mr. Wheeler of Exeter for Banks and Insurance. Ought to pass.

The bill was ordered to a third reading.

HB 616, relative to the definition of an elementary school and school district liability, ought to pass with amendment. Mrs. Demers of Lebanon for Education.

Mrs. Greene of Rye offered the following amendment and moved its adoption.

#### **Amendment to HB 616**

Amend said bill by striking out section 2 thereof and by renumbering sections 3 and 4 to read sections 2 and 3, respectively.

\* \* \*

The Clerk read the amendment.

Mrs. Greene spoke in favor of the amendment.

(Mr. Peterson of Peterborough in the Chair)

The amendment was adopted and the bill was ordered to a third reading.

HJR 10, providing supplemental appropriation for education of the deaf, Mrs. Demers of Lebanon for Education. Ought to pass.

The resolution was ordered to Appropriations under the Rules.

HB 628, relative to the practice of chiropractic, Mr. Andersen of Concord for Public Health. Ought to pass with Amendment.

**Amendment to HB 628**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Chiropractic. Amend RSA 316:11 by inserting after the word "pathology" in the third line the words, chiropractic X-ray procedures and analysis, so that said section as amended shall read as follows: 316:11 Examinations. The board shall give a written examination in the following subjects: Anatomy, physiology, symptomatology, hygiene, chiropractic, orthopedy, histology, pathology, chiropractic X-ray procedures and analysis, neurology and the principles of chiropractic adjusting and nerve tracing.

Further amend the bill by inserting after section 3 the following new section to read as follows:

4 Chiropractors. Amend RSA 316:17 by inserting after section 17 the following new sections: 316:17-a Inactive List. A chiropractor licensed under this chapter, and who is a resident of this state, who does not intend to engage in the practice of his profession, upon written request to the board may have his name transferred to an inactive list and shall not be required to register biennially or pay any registration fee as long as he remains inactive. Any chiropractor whose name has been included in the inactive list as herein provided shall be restored to active status by the board upon the filing of a written request with said board, accompanied by the required registration fee for renewal.

Further amend the bill by renumbering section 4 to read section 5.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 99, providing that village districts may take land for water works purposes within the towns in which they are established in the same manner as in the laying out of a highway, Mr. Chandler of Portsmouth for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 613, relative to penalties for violations of the municipal budget act, Mrs. Frizzell of Charlestown for Judiciary. Inexpedient to legislate.

Mrs. Frizzell of Charlestown explained the resolution of the committee.

The resolution was adopted.

HB 633, relating to the veterans' service exemption, Mr. Gay of Derry for Military and Veterans Affairs. Ought to pass.

The bill was ordered to a third reading.

HB 627, to allow towns to increase their boards of selectmen, Mr. Crouch of Durham for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

HB 436, relative to motor vehicle and boat number plates, Mr. Claflin of Wolfeboro for Transportation. Inexpedient to legislate.

The resolution was adopted.

HB 525, setting a date for application for motor vehicle number plates, Mr. Claflin of Wolfeboro for Transportation. Ought to pass with amendment.

### **Amendment to HB 525**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Motor Vehicle Number Plates. Amend RSA 260 by inserting after section 9 the following new section: 260:9-a Application for Same Number. Any owner of a passenger motor vehicle registered in this state in any year who desires to have the same number plate for the succeeding year may make application therefor by mail or otherwise to the director of motor vehicles provided said application is made on or before the second Wednesday in February. No number plate shall be issued unless the registration fee therefor is paid at the time of application.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 524, empowering the state to reimburse towns for loss of taxes under certain circumstances, Mr. Geisel of Manchester for Ways and Means. Ought to pass with amendment.

**Amendment to HB 524**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Reimbursement. Amend RSA 216-A (supp) as inserted by 1961, 263 by inserting after section 3 the following new sections:

216-A:3-a Payments by State. Whenever the state acquires any real property in a town or city for public recreational or park purposes the state shall annually pay to the town or city where such property is situate a sum equal to the taxes which would have been assessed against such property had such property remained taxable basing such payments upon the assessed value of the property for the year prior to the year of acquisition at the current local rate of taxation applicable for the year in which payment is made until and including the year the property is opened to the public for recreational or park use. The year following the opening of the property for recreational or park use and for the second, third, fourth and fifth years following such opening the payments shall be based on eighty, sixty, forty and twenty per cent respectively of the assessed value of the property for the year prior to the year of acquisition at the current local rate of taxation applicable for the year in which payment is made and thereafter such payments shall cease. If less than all the real property included in a single assessment is acquired by the state the tax commission shall determine the apportionment of the assessment between the state and the former owner. At the time of computing the rate percent of taxation for the town or city where said real property is situate, the tax commission shall certify to the state treasurer the amount of the payment to be made to each town and city in each year and the treasurer shall make such payment on or before December first. The director of the division of parks shall notify the tax commission of the date when any real property acquired for recreational or park use is opened to the public.

216-A:3-b. Authority for Payment. The governor is authorized to draw his warrant for the payments authorized under the provisions of section 226-A:3-a out of any money in the treasury not otherwise appropriated.

The amendment was adopted and the bill was ordered to a third reading.

HB 630, providing for collection of taxes on property being re-assessed, Mr. Geisel of Manchester for Ways and Means. Ought to pass with amendment.

### **Amendment to HB 630**

Amend the bill by combining section 1 and 2 to read section 1 and by renumbering section 3 to read section 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 630, providing for a committee to study the possibility of permitting cities and towns to impose special local taxes, Mr. Colbath of Dover for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 645, relative to civil air patrol, Mr. Geisel of Manchester for Ways and Means. Inexpedient to legislate.

The resolution was adopted.

HB 632, authorizing the dissolution of the Penacook school district and uniting the same with the union school district of Concord, Mr. Gove of Concord for the Concord Delegation. Ought to pass.

The bill was ordered to a third reading.

SB 68 (New Draft and New Title), relative to the reorganization of public higher education in New Hampshire, Mrs. Demers of Lebanon for Education. Ought to pass with amendment.

### **Amendment to SB 68**

Amend section 16 of the bill by striking out said section and inserting in place thereof the following:

16 Coordinating Board of Advanced Education and Accreditation. A coordinating board of advanced education and accreditation of nine members shall be established with the following membership: The commissioner of education, president of the university of New Hampshire, president of Keene state college, president of Plymouth state college, chairman of

the state board of education or his delegated representative, ex-officio, and four members to be appointed by the governor, with the consent of the council, one of these four appointive members shall be an educator selected from one of the private institutions of higher learning in New Hampshire. Appointive members of this board shall be appointed for five years each. Of the original appointments two members shall be appointed for three years each and the remaining two shall be appointed for the full five-year term. Thereafter each appointive member shall have a five-year term. Vacancies shall be filled for unexpired terms only. The function of the board is to work in an advisory capacity only toward coordinating the activities of higher education in the state including community colleges and work with the New Hampshire members of the New England Board of Higher Education insofar as possible. It shall have the responsibility for accrediting institutions for higher learning that wish to issue diplomas or grant degrees. The procedure and criteria for accreditation will be established by the board. If such institutions qualify in the opinion of the accrediting board said board shall recommend to the legislature that such institutions be authorized to grant the appropriate degrees. The board is hereby authorized to employ such staff as may be necessary to carry on its work, within the limits of the appropriation made herein. The members of the board, except the ex-officio members, and any committee of accreditation established by them shall serve without compensation but may be reimbursed for actual travel and other expenses incurred in the performance of their duties hereunder. The provisions of this section shall not apply to any institution of learning authorized by law, prior to the effective date of this act, to grant degrees or use the term "college" or any other descriptive name.

Further amend the bill by renumbering sections 16, 17 and 18 to read 17, 18 and 19.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

### Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:



HB 329, An act relative to initial registration plates for boats.

HB 474, An act providing for the judicial review of orders transferring incorrigibles from industrial school to other state institutions.

SB 66, An act to require notation of line agreements.

HB 275, An act relative to taxation exemption for disabled veterans.

HB 390, An act to authorize the change of name of Wentworth Hospital and Wentworth-Dover City Hospital to Wentworth-Douglass Hospital.

HB 504, An act relative to inter-bank deposits.

HB 516, An act relative to penalties for violation of meter parking at Hampton Beach.

HB 528, An act relative to investment of funds of the University of New Hampshire.

HB 549, An act relative to compensation of policemen in the city of Portsmouth.

SB 44, An act to authorize cities and towns to establish historic districts.

Mrs. Potter of Northumberland  
Mrs. Forbes of Marlow

### Resolution

Messrs. Smith and Bell of Plymouth, Plumer of Bristol, Pryor of Ashland, Larty of Haverhill and Stevenson of Bethlehem offered the following resolutions:

*Whereas*, Ruth T. Hampson, our beautiful and talented Representative from the town of Hebron in the county of Grafton, has served her constituents well during this 1963 session of the General Court, and

*Whereas*, Mrs. Hampson is a favorite daughter of our fair Granite State, therefore be it

*Resolved*, that we, the members of this House of Representatives, in General Court convened, do hereby pay homage to our fellow member and be it further

*Resolved*, that the bridge over the Cockermouth River between the villages of Hebron and East Hebron be, now and forever, known as the Ruth T. Hampson bridge.

Mr. Plumer of Bristol spoke in favor of the resolutions.

The resolutions were unanimously adopted.

Mrs. Hampson of Hebron thanked the members for the resolution.

Mr. Taft of Greenville requested that Mr. Plumer of Bristol and Mr. Casassa escort Mrs. Hampson to the Rostrum where he presented her with a sign naming the bridge in Hebron.

Mr. Stafford of Laconia offered the following resolutions:

*Whereas*, the New England Motorcycle Dealers Association has honored our state for the past twenty-five years by coming to New Hampshire, and

*Whereas*, this year is the "Silver Anniversary" of this association's activities at the Belknap Recreational Area, and

*Whereas*, William "Bill" Schietinger of Bridgeport, Connecticut, is the Head of the 43rd Annual New England Motorcycle Tour and Rally which will be in Laconia June 18-23, 1963, and

*Whereas*, "Bill" was the means of bringing the motorcycle races to Laconia and the State of New Hampshire for the past twenty-five years, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, hereby express our appreciation of all that "Bill" has done in this respect, that we commend him for increasing the tourist industry which has added greatly to the economic growth of the City of Laconia and the State of New Hampshire, and be it further

*Resolved*, That a copy of these Resolutions be presented to "Bill" with our very best wishes for his continued success and that of the New England Motorcycle Dealers Association.

The resolutions were adopted.

Messrs. Cheney and Gay of Derry offered the following resolutions for the Rockingham County Delegation:

*Whereas*, Guy E. Nickerson, Representative from Kingston, has been hospitalized in the Mount Auburn Hospital in Cambridge, Massachusetts, therefore be it

*Resolved*, That we the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy in his illness and extend to him our best wishes for his speedy return to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Nickerson.

The resolutions were unanimously adopted.

### Point of Information

Mr. Vachon of Manchester rose on a point of information.

\* \* \*

### Correction

The Chair wishes to announce the following correction in the Journal for June 19th. On page 34 under the heading Senate Message the text should read as follows:

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 273, relating to investments of savings banks.

Mr. Reddy of Contoocook moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion prevailed and the Chair appointed Messrs. Stevens of Epsom, Asby of Canterbury and Manning of Manchester as conferees on the part of the House.

\* \* \*

The Chair asked unanimous consent of the House that the Permanent Journal be so corrected. Such consent was granted.

**Communication**

Durham, N. H.  
June 17, 1963

To the members of the House of Representatives:

Many thanks from my heart for the set of Resolutions sent me. Guy was proud of being a member of your body.

I will cherish these as long as life lasts.

Very sincerely,

s/Vella M. Smart

\* \* \*

On motion of Mr. Hill of Conway the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for 2 days.

**Committee Report**

HJR 36, relative to lands in the town of Tamworth, Mr. Hayward of Milford for Municipal and County Government. Ought to pass with amendment.

**Amendment to HJR 36**

Proposed amendment to HJR No. 36, relative to certain lands in the town of Tamworth.

Amend the Joint Resolution by striking out in the sixth line the words "and directed" so that said joint resolution as amended shall read as follows:

That the state of New Hampshire disclaims any and all right, title and interest in that certain property situate in the town of Tamworth and known as the John Albee Memorial Forest Reservation, and that the governor and council are hereby authorized to execute such instruments as may be necessary to convey any interest of the state of New Hampshire in said premises to Edward R. Mathews or his successors in title.

\* \* \*

The Clerk read the amendment.

The amendment was adopted and the bill was ordered to a third reading.

\* \* \*

The Chair announced that Saturday is the 45th wedding anniversary of Mr. and Mrs. Larty of Haverhill and the 42nd anniversary of Mr. and Mrs. Chamberlin of Bath.

\* \* \*

On motion of Mr. Pickett of Keene the Rules of the House were so far suspended as to permit third reading and final passage of HB 38, by title only.

HB 38, providing for a director of legislative services, was read a third time, passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Sheridan of Berlin moved that the House reconsider its vote whereby it passed HB 38 and spoke against the motion.

The motion was not adopted.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 106, by title only.

HB 106, relative to the relocation of a portion of the central New Hampshire turnpike, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 483, by title only.

HB 483, providing for the acquisition of certain water rights and dams controlling the headwaters of the Salmon Falls River, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 478, by title only.

HB 478, relative to Beaver Floor Control Project, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 54, by title only.

HB 54, providing for the acquisition of a certain dam and water rights by the water resources board, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 214, by title only.

HB 214, relative to state participation in water pollution control costs, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of SB 106, by title only.

SB 106, relative to continuous financial responsibility certificates, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 616, by title only.

HB 616, relative to the definition of an elementary school and school districts liability, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage on HB 628, by title only.

HB 628, relative to chiropractic, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of SB 99, by title only.

SB 99, providing that village districts may take land for water works purposes within the towns in which they are established in the same manner as in laying out of a highway, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 633, by title only.

HB 633, relating to the veterans' service exemption, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 525, by title only.

HB 525, setting a date for application for motor vehicle number plates, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 524, by title only.

HB 524, empowering the state to reimburse towns for loss of taxes under certain circumstances, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 630, by title only.

HB 630, providing for collection of taxes on property being re-assessed, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HB 632, by title only.

HB 632, authorizing the dissolution of the Penacook school district and uniting the same with union school district of Concord, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading and final passage of HJR 36, by caption only.

HJR 36, relative to certain lands in the town of Tamworth, was read a third time, passed, and sent to the Senate for concurrence.

**Recess**

**After Recess****Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964.

HB 546, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965.

On motion of Mr. Clement of Rochester the House non-concurred in the Senate amendments and a committee of conference was appointed. The Chair appointed, Mr. Clement of Rochester, Mr. Shepard of Londonderry and Mr. Pappagianis of Nashua as conferees on the part of the House.

**Introduction of a Bill**

HB 654, providing for additional appropriations to meet certain contractual deficiencies, was read a first and second time and referred to Appropriations.

Mr. Clement of Rochester moved that the Rules of the House be so far suspended as to dispense with the printing of HB 654.

The Clerk read the bill in full.

HB 654, An act providing for additional appropriations to meet certain contractual deficiencies.

1 Deficiency Appropriations. The sum of \$456,604.37 is hereby appropriated to meet the following contractual deficiencies: for administration and control for OASI contributions — for state employees — \$92,891.64; for teachers — \$92,042.73; for employees retirement system, 1962, the sum of \$38,048 and for 1963, the sum of \$41,622; for the recreational fund, the sum of \$192,000. The sums hereby appropriated are for the purpose of reimbursing the general fund for sums expended to meet obligations of the state.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The motion was adopted.



### Report of Engrossed Bills

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 270, An act relative to use of poisons for the control of certain birds.

HB 391, An act relative to motor vehicle operation and registration.

SB 12, An act relative to costs of aiding intellectually retarded children.

Mrs. Potter of Northumberland  
Mrs. Forbes of Marlow

\* \* \*

Mr. Stafford of Portsmouth moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Stafford explained the bill.

The motion was adopted.

### Committee Report

SB 128, to amend the Portsmouth city charter, Mr. Stafford of Portsmouth for the Portsmouth Delegation. Ought to pass.

The bill was ordered to a third reading.

Mr. Bigelow of Warner moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Bigelow of Warner explained the bill.

The motion was adopted.

### Report

SB 95, relating to presentment for payment by banks, Mr. Stevens of Epsom for Banks, Ought to pass.

The bill was ordered to a third reading.

Mr. Bigelow of Warner moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

Mr. Bigelow of Warner explained the resolution.

The motion was adopted.

### Report

SJR 11, in favor of the New Hampshire Savings Bank and the SPD Realty Corporation, Mr. Bigelow of Warner for Banks. Ought to pass.

The SJR was referred to Appropriations under the Rules.

\* \* \*

Mr. Peterson of Peterborough moved that the rules of the House be so far suspended as to permit a public hearing to be held on HB 618, relating to availability to public of public records and meetings, at 2 P.M. on Tuesday next.

The motion prevailed.

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

HB 594, An act authorizing New Hampshire College of Accounting and Commerce to grant degrees.

Amend Section 1 of the bill by adding at the end thereof, The degree of Bachelor of Business Science as awarded by the aforesaid institution shall represent the equivalent of a four year course and at least thirty percent of the total credits required for said degree shall be in general education, so that said section as amended shall read: 1 Authority Granted. The college conducted by the N. H. College of Accounting & Commerce, Inc., an educational institution, is hereby authorized to confer upon the graduates therefrom the degrees of Bachelor of Business Science and Associate in Business Science. The

degree of Bachelor of Business Science as awarded by the aforesaid institution shall represent the equivalent of a four year course and at least thirty percent of the total credits required for said degree shall be in general education.

On motion of Mrs. Brown of Sandwich the House concurred in the Senate amendment.

\* \* \*

On motion of Mr. Angus of Claremont the Rules of the House were so far suspended as to permit HB 61, relating to pulmonary disease, to be placed on the calendar for tomorrow.

\* \* \*

The Chair announced that today is the birthday of Mr. London of New London.

### **Senate Message**

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 135, relative to state aid for school construction.

### **Introduction of a Senate Bill**

SB 135, relative to state aid for school construction — to Education.

\* \* \*

On motion of Mrs. Richardson of Dover the House adjourned from the morning session.

### **Afternoon Session**

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

### **Third Readings**

SB 128, to amend the Portsmouth city charter, was read a third time, passed, and sent to the Secretary of State to be engrossed.

SB 95, relating to presentment for payment by banks, was read a third time, passed, and sent to the Secretary of State to be engrossed.

\* \* \*

The Chair announced the following members were appointed as members of the committee of conference on HB 207, providing immunity from liability in emergency cases: Mrs. Frizzell of Charlestown, Messrs. Johnson of Hanover and Moran of Manchester.

\* \* \*

On motion of Mrs. St. Pierre of Rochester the House adjourned at 3:44 P.M.

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FRIDAY, JUNE 21, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O THOU who hast blessed our Granite State with untold beauty from "Coos to the Sea" — who hast nurtured us with the priceless heritage of freedom — and hast given us the opportunities of a new day of service — for all these blessings, we give Thee our loving praise. Help us to be resourceful in wisdom, inventive in our endeavors, strengthened through courage, and inspired by faith as we labor together. Liberate us from all hinderances that would impair our effectiveness and efficiency as we strive for the common good of our State and Nation. We rejoice in the knowledge and comfort of the new spiritual leadership afforded to many peoples of the world through the election of Pope Paul VI. May our world find peace and prosperity through the union of spiritual guidance and political freedoms in all nations. Endow our Governor, his Council, and the Members of this Joint Convention with Thy blessing; may their every effort and action give honor to Thy Name as they strive to know Thy Will and the meaning of Thy Way. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Low of Hanover led the Convention in the Pledge of Allegiance to the Flag.

### **House**

## **A SURVEY OF ENROLLMENT PROSPECTS AT THE UNIVERSITY OF NEW HAMPSHIRE, 1956-1973**

FEBRUARY 1957

This report of enrollment forecasts was prepared by members of the University staff for use in planning for the future development of the University of New Hampshire.

America's universities and colleges are today facing a crisis of unusual proportions. During the years after World War II the birth rate rose throughout the nation. Elementary and high schools have already found that the upsurge of births requires more school buildings and increased staffs. During the next ten years, similar pressures will be felt by the nation's institutions of higher learning. The college-age population will be larger than ever before. Moreover, economic prosperity, a greater demand for college-trained employees, and a marked increase in the size and number of families of college-educated parents will probably stimulate an even larger proportion of American youth to attend institutions of higher learning.

Throughout the last five years the University of New Hampshire has sought to determine how changing population and economic and social conditions will affect the University's enrollment in the future. A preliminary survey on future enrollment was completed in 1952. Experience during the last two years has shown that several of the assumptions made in this survey should be revised. This report is issued to provide a range of prospective enrollment which takes into account the changing conditions likely to affect the future size of the University.

### **Conditions Affecting University Enrollment**

Enrollment at the University of New Hampshire is determined in large part by two separate sets of conditions. The first of these involves conditions over which the University has no control — population changes, economic developments, military crises, and the social and economic significance of college

training. For example, if the number of young people in the State increases, if the state's economy prospers, if peace prevails, and if employers continue to give priority to job applicants with college training, it is inevitable that a larger number of high school graduates will seek admission to the University. The potential demand for University training is then set by social and economic factors beyond the control of University officials.

The actual size of University enrollment is determined by University admissions policies. The University can control the number of students through an arbitrary ceiling on admissions, through increased tuition, through higher admission and academic standards, through the adjustment of the proportion of in-state to out-of-state students admitted, and through a change in the academic offerings of the colleges. Since the end of World War II, the University of New Hampshire has followed an admissions policy designed to meet two objectives: equality of educational opportunity coupled with high standards of academic preparation. The University has admitted all in-state students who qualify for admission on the basis of their high school records or entrance examinations. Out-of-state student enrollment, based on a more selective admissions policy, has been adjusted periodically to meet changing conditions. By admitting a relatively large proportion of out-of-state students during the war, the University was able to keep its plant reasonably well occupied and the staff relatively stable. This policy enabled the University to be in a better position than most institutions to handle the unprecedented post-war enrollment. During the post-war period the admission of out-of-state students was substantially curtailed, giving first priority to residents of the State. When the post-war peak passed, the contraction of the student body was slowed by again admitting a suitable proportion of out-of-state students. As indicated below, the University has already made plans for reducing once again the number of out-of-state students as more qualified State residents seek admission to the University.

With the exception of a reduction in the proportion of out-of-state enrollment, the admissions policies of the past will be continued for the foreseeable future. The University believes that these policies have provided a valid basis for admitting students — opportunity for all those genuinely qualified, without the human and economic waste of indiscriminate admission in

the hope that heavy attrition would provide the selective factor. Thus the basic changes in the size of University enrollment will result largely from an expected increase in the number of college-age students within the State and an increase in the desire of qualified young people to attend college.

### Enrollment Forecasts

#### *Enrollment and Population Trends*

Since 1931, the general trend in freshman admissions at the University has been upward, with the exception of the World War II period. Eliminating the population factor, for the moment, the upward trend would appear to indicate an increased desire and ability of young people from within the State to attend the University. There is little reason to believe that this trend will cease, for the increases of the past can be traced largely to factors which will probably continue into the future: greater demand for college graduates, higher standards of living, a larger number of families with college-educated parents. The first basic assumption for future enrollment is that the upward trend in freshman admissions will continue into the future, consequently increasing over-all University enrollment.

At the same time that normal trends toward increased enrollment will occur, the University can expect to feel the impact of the increased number of young people in the State. From 1945 to 1946 the number of children born in the State rose from 8,338 to 11,092 per year. After 1946 the number of births averaged about 12,000 per year, in contrast to a pre-war level (1930-1940) of around 7,700 per year. Since most children enter college during their eighteenth year, the impact of increased births will probably be felt most severely around 1964. A larger percentage of the increased number of children born in the State may be expected to seek admission to the University, particularly since the majority of private colleges do not expect to expand in proportion to the increase in the college-age population.

It is difficult to predict exactly how many of the children born in the post-war years will actually seek admission to the University. In the past, the percentage of children born in a given year who were admitted to the University eighteen years later has risen steadily. In large part the increase in this per-

centage can be traced to the fact that, while the number of annual births decreased steadily between 1927 and 1937, the number of children born in this period who sought admission to the University eighteen years later increased over previous years. Thus, a projection of the percentage trends into the future could give a considerably inflated number of potential admissions. A second consideration also makes it difficult to make exact enrollment projections on the basis of birth data. Between 1940 and 1950, 5,543 or approximately 6.7 percent of the young people in the age group of 15 to 24 left the State. Should this trend continue, it is possible that many children born in the State (potential students) would have migrated elsewhere before they reached the age to enroll at the University.

#### *Methods of Estimating In-State Freshman Enrollment*

Because so many of the factors affecting future enrollment cannot be predicted with exactness in advance, it seems advisable at this time to estimate the low and high limits within which enrollment will expand. With a range of enrollment predictions before it, the University will be in a position to estimate both the minimum and maximum needs of the future. To find the range of probable growth, two methods of estimating enrollment have been used.

Table 1 shows the relationship of births in New Hampshire to the number of in-state freshmen admitted to the University between 1931 and 1955, with projections until 1972. The projections have been made without attempting to account for the variables discussed above. Consequently, the total in-state freshmen admitted (shown in column 3) is probably the highest estimate which could be made for those years. The percentages used in projecting enrollment in column 4 were obtained in the following manner:

In the ten-year period preceding World War II the percentage of the children born in New Hampshire who entered the University eighteen years later did not change substantially. Since the end of the war the percentage has gone up on an average of  $\frac{3}{10}$  of one percent a year. This rate holds true for civilian admissions from 1946-47 through 1952-53 and also for the period from 1946-47 through 1955-56, even though percentages for the first period were figures on civilian admissions only, whereas those for the *latest* year include veterans. It ap-



**Table 1. Relationship of Births in New Hampshire to In-State Freshman Admissions to the University of New Hampshire**

Year of Birth	Number of Births	Number In-State Fr. Adm.	Percent Admissions are of Births	Corresponding Academic Year of College Admission
1913	9236	434	5	1931-32
1914	9531	401	4	1932-33
1915	10002	374	4	1933-34
1916	9665	363	4	1934-35
1917	9569	384	4	1935-36
1918	9642	398	4	1936-37
1919	8778	451	5	1937-38
1920	9946	415	4	1938-39
1921	10129	503	5	1939-40
1922	9762	457	5	1940-41
1923	9309	425	4	1941-42
1924	10111	607	6	1942-43
1925	9407	260	3	1943-44
1926	8721	259	3	1944-45
1927	8798	304	3†	1945-46
1928	8676	395	4.6†	1946-47
1929	8170	506	6.1†	1947-48
1930	8342	522	6.3†	1948-49
1931	7768	619	8.0†	1949-50
1932	7808	605	7.7†	1950-51
1933	7385	516	7.0†	1951-52
1934	7869	545	6.9†	1952-53
1935	7768	522	6.7	1953-54
1936	7679	664	8.6	1954-55
1937	7633	664	8.7	1955-56
1938	7830	658*	8.4*	1956-57
1939	7939	683*	8.6*	1957-58
1940	8329	733*	8.8*	1958-59
1941	8582	772*	9.0*	1959-60
1942	9173	835*	9.1*	1960-61
1943	9367	862*	9.2*	1961-62
1944	8548	795*	9.3*	1962-63
1945	8338	784*	9.4*	1963-64
1946	11092	1054*	9.5*	1964-65
1947	13267	1274*	9.6*	1965-66
1948	12793	1241*	9.7*	1966-67
1949	12102	1186*	9.8*	1967-68
1950	11684	1157*	9.9*	1968-69
1951	12160	1216*	10.0*	1969-70
1952	12112	1223*	10.1*	1970-71
1953	11731	1197*	10.2*	1971-72
1954	12087	1245*	10.3*	1972-73

\* Estimated.

† Per cent admitted excludes veterans during these years.

*Note.* As the rate of admission during 1954 and 1955 has probably been unduly high because of the admission to college of a substantial number of men

pears that a definite trend toward a larger proportion of the college-age population attending college is well established. It does not seem reasonable, however, that the rate of growth of the past decade can go on indefinitely. The educational benefits available to veterans and the rapidly expanding economy both may be assumed to have made the recent rate of growth unusually rapid, but there is no evidence that growth will cease. For purposes of this study, therefore, it has been arbitrarily assumed that until the percentage of eighteen-year-olds entering the University reaches 9.0, the growth will be at the rate of 2/10 of one percent a year and that thereafter it will be 1/10 of one percent a year.

The 1,245 in-state freshmen admissions forecast by this method for 1972-73 is probably the highest number to seek and qualify for admission. Against this number a low estimate of in-state freshmen has been forecast by a different method. This method simply projects the past trend line for enrollment until 1972-73, providing for a deviation from the past trend in 1964 when the large increase in post-World War II births will be felt. To determine the effect of the births on past trends, the partial derivatives to births were averaged and applied against the births in 1946 (the eighteen-year-olds in 1964) to arrive at the new base.\* Thus, the chart on Page 8 reflects a second estimate, placing admissions in 1972-73 at about 1,124.

*Effects of Admissions Policies  
at Private and Out-of-State Schools*

On the basis of these estimates, the University can anticipate an enrollment of in-state freshmen in the range of 1,124 students to 1,245 students by 1972-73. To this estimate should be added the number of students who would normally seek to attend private colleges, but who will probably be unable to do so if most private colleges follow their present plans of limiting enrollment in the future.

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who entered military service during the Korean conflict, the percentage base for projecting future admissions has been set at 8.0 for 1954-55, a level somewhat lower than the actual percentage. (This percentage was obtained by averaging the percentages of admissions for 1952, 1953, and 1954.) Two-tenths of one per cent has been added to the base each year until the percentage of eighteen-year olds attending the University reaches 9.0 per cent, when the annual increase has been reduced to one-tenth of one per cent.

\* Every ratio has both a numerator and denominator, hence the value of the fraction will vary with a change in either of these. The partial derivative

In 1954, the State Board of Education reported that the number of high school graduates going to private colleges and to out-of-state public institutions is about the same as that attending the University of New Hampshire. One may assume that students will seek to enroll at the University and at other schools in about the same proportion in the future. Yet private college capacity, according to announced plans, will in some cases remain constant and, generally, increase only moderately in the future.\* In making this survey it has been assumed arbitrarily that private and out-of-state colleges will admit about one-third more New Hampshire residents by 1972, if the progression is steady, or approximately 5 more for each year from 1956-57 to 1972-73. Many of the New Hampshire residents who wish to attend private colleges will, thus, turn to the University of New Hampshire when other educational opportunities are not available.

This will amount to 374 additional in-state freshmen by 1972-73 under the low estimate and 495 under the high estimate. (See Table 2.)

#### *Total In-State Freshman Enrollment*

The normal in-state admissions plus the students who would have attended private or out-of-state public colleges in the past indicate a total freshman enrollment ranging from 1,498 to 1,740 in the year 1972-73. (See Table 3.)

#### *Over-All Enrollment Estimates*

The in-state freshmen admitted each year are the basis for making over-all estimates. For example, if the freshmen admis-

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is a measure of the influence of change in the numerator or denominator on the ratio, the other being held constant.

$$X = \frac{A}{B}$$

$$B$$

$$X' = \frac{A'}{B'}$$

$$B'$$

The question "what influence does A-A' have on X-X'" is answered by taking the partial of A-A' to X-X' holding B constant. The same is done for B and the sum of the partials should be equal to X-X', the change in the value of the ratio.

\* Increase in the size of private colleges is expected to be limited principally for two reasons: (1) some believe that there are advantages to a small institution and will, therefore, resist pressure to expand; (2) before most private colleges can expand substantially they will need to obtain gifts of new funds for increased endowment and for new buildings, and the availability of these funds is limited. It is impossible to get an authoritative statement on what changes in capacity are likely to be made by private colleges. The estimate given here was made after studying all available material on the subject.

sions of the previous three years are added to the number admitted in 1972-73, a total base of in-state undergraduates for that year may be found — a range from 5,716 to 6,792. But due to failures, transfers, and voluntary decisions to leave college, only about 80 percent of these students will be enrolled at the University in that year. Thus, the *regular, in-state*, undergraduate enrollment for 1972-73 may be estimated as ranging from 4,573 to 5,450 students.

Two other groups of students must be added to the estimated in-state undergraduates to obtain total enrollment. At the present, out-of-state students make up about 27.4 percent of the undergraduate student body. In order to accommodate as many in-state students as possible in the future, out-of-state enrollment will be reduced to 15 percent of the in-state undergraduate enrollment. In estimating enrollment, a gradual reduction to 15 percent has been estimated after total in-state enrollment reaches 3,500 students. The second group of students includes students in the Thompson School of Agriculture, special students, and graduate students. In the past this group has been equal to 14.5 percent of the total undergraduate enrollment. In estimating

**Table 2. Estimated Effect of Limited Growth of Private College Enrollment**

Academic Year	LOW ESTIMATES			HIGH ESTIMATES		
	Number Potential Admissions at Private Colleges	Estimated Freshman Capacity at Private Colleges	Surplus to UNH	Number Potential Admissions at Private Colleges	Estimated Freshman Capacity at Private Colleges	Surplus to UNH
1956 - 57	675	670	5	658	670	0
1957 - 58	691	675	16	683	675	8
1958 - 59	708	680	28	733	680	53
1959 - 60	724	685	39	772	685	87
1960 - 61	741	690	51	835	690	145
1961 - 62	758	695	63	862	695	167
1962 - 63	777	700	78	795	700	95
1963 - 64	795	705	90	784	705	79
1964 - 65	934	710	224	1054	710	344
1965 - 66	956	715	241	1274	715	559
1966 - 67	978	720	258	1241	720	521
1967 - 68	1001	725	276	1186	725	461
1968 - 69	1024	730	294	1157	730	427
1969 - 70	1048	735	313	1216	735	481
1970 - 71	1073	740	333	1223	740	483
1971 - 72	1098	745	353	1197	745	452
1972 - 73	1124	750	374	1245	750	495

**Table 3. Estimated Number of In-State Residents Who Will Seek Admission to the University of New Hampshire as Freshmen**

Academic Year	LOW ESTIMATES			HIGH ESTIMATES		
	Estimated In-State Admissions, Present Clientele	Estimated Private College Surplus	Estimated Total In-State Admissions	Estimated In-State Admissions, Present Clientele	Estimated Private College Surplus	Estimated Total In-State Admissions
1956 - 57	675	5	680	658	0	658
1957 - 58	691	16	707	683	8	691
1958 - 59	708	28	736	733	53	786
1959 - 60	724	39	763	772	87	859
1960 - 61	741	51	792	835	145	980
1961 - 62	758	63	821	862	167	1029
1962 - 63	777	78	854	795	95	890
1963 - 64	795	90	885	784	79	863
1964 - 65	934	224	1158	1054	344	1398
1965 - 66	956	241	1197	1274	559	1833
1966 - 67	978	258	1236	1241	521	1762
1967 - 68	1001	276	1277	1186	461	1647
1968 - 69	1024	294	1318	1157	427	1584
1969 - 70	1048	313	1361	1216	481	1697
1970 - 71	1073	333	1406	1223	483	1706
1971 - 72	1098	353	1451	1197	452	1649
1972 - 73	1124	374	1498	1245	495	1740

future enrollment, it has been assumed that this proportion will continue. (See Table 4.)

Assuming these projections, therefore, the total student body at the University in 1972-73 would be composed of the following:

	<i>Low Estimate</i>	<i>High Estimate</i>
In-state undergraduates	4,573	5,450
Out-of-state undergraduates	681	817
Thompson School, special, and graduate students	762	908
	<hr/>	<hr/>
	6,016	7,175

Table 4. Estimated Total Enrollment at the University of New Hampshire, 1956-57 to 1972-1973

Academic Year	LOW ESTIMATES			HIGH ESTIMATES		
	In-State Under-Graduates	Total Under-Graduates In- and Out-State	Total Enrollment*	In-State Under-Graduates	Total Under-Graduates In- and Out-State	Total Enrollment*
1956 - 57	2024	2874	3291	2012	2862	3277
1957 - 58	2172	3022	3461	2148	2998	3432
1958 - 59	2230	3080	3527	2246	3096	3545
1959 - 60	2308	3158	3618	2402	3252	3723
1960 - 61	2398	3248	3721	2661	3500	4007
1961 - 62	2490	3340	3827	2932	3550	4064
1962 - 63	2584	3434	3934	3015	3600	4122
1963 - 64	2682	3486	3992	3019	3650	4179
1964 - 65	2974	3584	4104	3354	3857	4416
1965 - 66	3275	3775	4322	3999	4598	5264
1966 - 67	3581	4125	4723	4699	5403	6186
1967 - 68	3895	4486	5137	5328	6127	7015
1968 - 69	4023	4637	5309	5477	6298	7211
1969 - 70	4154	4777	5469	5368	6173	7068
1970 - 71	4290	4934	5649	5323	6121	7008
1971 - 72	4429	5093	5832	5325	6123	7010
1972 - 73	4573	5254	6016	5450	6267	7175

\* Total enrollment estimates include total undergraduate enrollment to which has been added 14.5 percent of the total as the estimate for Thompson School of Agriculture, graduate, and special students.

### Conclusions

In fifteen years the University of New Hampshire will be asked to accommodate a minimum of fifty-six percent to a maximum of over one hundred percent more students on campus than at present, depending on whether the low or high estimate is used. The growth will be gradual until the early part of the 1960's, when the increase due to post-war births will become pronounced. In forecasting enrollment at the University, the most difficult problem is to determine exactly how many students will enter the University as a result of this increase. This report contains both conservative and more liberal estimates of the effect of increased births. Throughout the next six years prior to the most pronounced change, the University will be concerned with determining whether either the low or high enrollment forecast, or some middle point, represents the probable future size of the University. Until that time, this forecast provides a basis for the planning of staff, buildings, and finances with some certainty for the next six years, and a general guide for determining priorities during the following decade.

### **Introduction of Guests**

The Chair introduced a group of Girl Scouts from Windham, courtesy of Mr. Herbert of Windham.

### **Leaves of Absence**

The following members were granted leaves of absence for the day on Account of Important Business:

Mrs. Clark of Lee, Messrs. Allen of Rindge, Wildey of Westmoreland, Desmarais of Jaffrey, Pollock of Keene, Totman of Alstead, Martin of Goffstown, Matheson of Center Harbor, Smith of Walpole, Asby of Canterbury and Miss Normandin of Laconia.

### **Engrossed Bills Committee Report**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 12, An act providing for a commission to study the state constitution.

HB 188, An act relative to the construction of a new instructional building and the remodeling of certain present buildings at the University of New Hampshire.

HB 318, An act relative to branch banking and bank holding affiliates.

HB 456, An act relative to weights and lengths of certain vehicles.

SB 64, An act abolishing the school district of Wentworth's Location and transferring the education of Children in Wentworth's Location to the state.

HB 594, An act authorizing N. H. College of Accounting & Commerce to grant degrees.

Mrs. Potter of Northumberland  
Mrs. Forbes of Marlow

### **Committee of Conference Report**

The Committee of Conference to whom was referred House—Bill No. 290, An Act relative to the retirement age for state

employees under the state employees retirement system, having considered the same, report the same with the recommendation that the senate recede from its position in adopting its amendment and concur with the house in the passage of the bill.

Mr. Sherman of Lancaster  
Mr. McMeekin of Haverhill  
Mr. Claveau of Hudson  
Conferees on the Part of the House

Senator Whalen  
Senator Drake  
Conferees on the Part of the Senate

The report was adopted.

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives.

HB 646, legalizing the proceedings relating to the annexation of the Sandwich School District to the Inter-Lakes Cooperative School District.

HB 628, relative to the practice of chiropractic.

HB 595, legalizing action relative to zoning at various town meetings.

HJR 36, relative to certain lands in the town of Tamworth.

HJR 35, in favor of Alfred Loranger.

HB 505, membership of the school board of Tilton & Northfield Union School District.

HB 565, to revise the law relating to cooperative school districts.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 273, relating to investments of savings banks, and the President has appointed as members of said Committee on the part of the Senate: Senator Holmes and Senator Lamontagne.



A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 180, relative to the incorporation of trust companies and the President has appointed as members of said Committee on the part of the Senate: Senator Howard and Senator Paquette.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bills:

HB 545, making appropriations for expenses of certain departments of the state for the year ending June 30, 1964.

HB 546, making appropriations for expenses of certain departments of the state for the year ending June 30, 1965 and the President has appointed as members of said Committee on the part of the Senate: Senator Hodgdon, Senator Drake and Senator Provost.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 31, relative to reciprocity in the purchase of liquor.

SB 125, relative to laying out highways.

SB 134, relative to retirement benefits for officials and employees of the regional associations.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 31, relative to reciprocity in the purchase of liquor, to Liquor.

SB 125, relative to laying out highways, to Public Works.

SB 134, relative to retirement benefits for officials and employees of the regional associations, to Executive Departments and Administration.

On motion of Mr. Collishaw of Exeter the Rules of the House were so far suspended as to permit a public hearing to

be held on SB 31 without advertising in the Journal for two days.

### **Senate messages (cont.)**

A further Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 13, in favor of Edna M. Paine.

### **Introduction of a Senate Joint Resolution**

SJR 13, in favor of Edna M. Paine, was read a first and second time and referred to Claims.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 465, relative to posting warrants for election of school district officers at town meeting.

### **Amendment to HB 465**

Amend the bill by striking out section 2 thereof.

Further amend the bill by renumbering section 3 to read section 2.

\* \* \*

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

\* \* \*

On motion of Mr. Plumer of Bristol the Rules of the House were so far suspended as to permit a public hearing to be held on SB 125 without advertising in the Journal for two days.

### **Committee Reports**

On motion of Mr. Capistran of Manchester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

HB 155, relating to the disposition of fines collected by municipal court, Mr. Pryor of Ashland for Judiciary. Ought to pass with amendment.

### **Amendment to HB 155**

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2 Takes Effect. This act shall take effect September 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Capistran of Manchester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

HB 642, relative to disclosure of vital statistics records, Mr. Healy of Manchester for Judiciary, refer to Legislative Council for study and report.

The resolution was adopted.

On motion of Mr. Capistran of Manchester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

SB 27, relative to broadening the scope of the common law doctrine of cy pres, Mr. Capistran of Manchester, refer to the Judicial Council for study and report.

The resolution was adopted.

On motion of Mr. Capistran of Manchester the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

HB 486, relative to obscene literature, Mr. Johnson of Hanover for Judiciary. Ought to pass with amendment.

### **Amendment to HB 486**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 571 the following new chapter:

## Chapter 571-A

## Obscene Literature

571-A:1 Definitions. As used in this chapter "matter" is any book, pamphlet, magazine, newspaper or other written matter, or any thing, object, picture, print, film or sound recording. "Minor" is any person under the age of twenty-one years. Obscene matter shall be judged by the following standard: Whether to the average person, applying contemporary community standards, the dominant theme of the matter taken as a whole appeals to prurient interest and which is patently offensive.

571-A:2 Publication, Possession, etc. No person shall, with knowledge of the contents thereof, print, sell, lend, give or show to any other person, nor have in his possession or control with the intent to sell, lend, give to, or show to any other person, any obscene matter and no person shall circulate, display or post any advertisement of any such matter, or cause it to be done.

572-A:3 Evidence of Intent. Whenever any person has in his possession any obscene matter such possession shall be deemed to be prima facie evidence of intent to sell, lend, give or show such matter to another person. Provided, however, that nothing contained in section 2 and this section shall be deemed to restrict the selling, lending, or giving or showing of books, pictures, objects, or things of art including medical, scientific, educational and literary publications, periodicals, text books, and other related matter which are printed, possessed, circulated, displayed or advertised for the advancement of art, medicine, science, education and literature.

571-A:4 Hiring Minors. No person shall in any manner hire, employ, or use any minor to sell or give away, or in any manner distribute any obscene matter or advertisement.

571-A:5 Duty of Custodians of Minors. No person having the care or control of a minor shall permit such child to sell or give away or in any manner to distribute any obscene matter or advertisement.

571-A:6 Penalty. If any person shall violate any of the provisions of sections 2, 4 or 5 hereof he shall be fined not more

than five hundred dollars or imprisoned not more than six months or both.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mrs. Weeks of Greenland the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

HB 654, providing for additional appropriations to meet certain contractual deficiencies, Mr. Pappagianis of Nashua for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mrs. Weeks of Greenland the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

HB 582, relative to legislative mileage allowances, Mr. Roberts of Conway for Appropriations. Ought to pass.

The bill was ordered to a third reading.

The following members wished to be recorded as voting "No" on HB 582: Messrs. Smith of Concord, Newell of Concord, Edwards of Antrim, Wylie of Fremont, Stafford of Portsmouth, Pickering of Hancock, Andersen of Concord and Mrs. White of Portsmouth, Miss Faulkner of Keene and Mrs. Grey of Canaan.

On motion of Mr. Stevenson of Bethlehem the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

HB 61, relating to pulmonary disease, Mr. Angus for Labor. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Stevenson of Bethlehem the rules of the House were so far suspended as to permit the entire calendar for next Tuesday to be introduced at the present time.

HB 476, relating to the grading, marketing, and sale of eggs, Mr. Adams of Madbury for Agriculture. Ought to pass with amendment.

**Amendment to HB 476**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

**AN ACT**

relative to the marketing of eggs.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Eggs. Amend RSA 342:4 by inserting after the word "fresh" in the last line thereof the words, and the color, "brown" or "white", so that said section as amended shall read as follows: 342:4 — Marking. All fresh eggs for human consumption sold, offered, exposed or advertised for sale at retail, or wholesale, or exchanged or distributed at retail, or wholesale, within the state shall be plainly and conspicuously marked and indented with the word "fresh" and the color, "brown" or "white".

2 Takes Effect. This act shall take effect six months after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 607, relating to revisions of supervisory unions and re-assignment of personnel, Mrs. Demers of Lebanon for Education. Ought to pass with amendment.

**Amendment to HB 607**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Business Administrators. Amend paragraph XXII of RSA 186:11 (supp) as amended by 1961, 196:1, by striking out the same and inserting in place thereof the following: XXII. Superintendents; Assistant Superintendents; Teacher Consultants; Business Administrators. Upon consultation with the local school boards in each supervisory union and upon nomination by the supervisory union board of a suitable and competent person, employ such person as superintendent. It may employ by the same method one or more assistant superintendents, teacher consultants or business administrators when that is

reasonably necessary, and may remove a superintendent, assistant superintendent, teacher consultant or business administrator when the interests of the schools in the supervisory union require it.

2 Salaries. Amend paragraph XXIII of RSA 186:11 (supp) as amended by 1957, 252:1, 1961, 196:2 and 1963, 117:2, by striking out said paragraph and inserting in place thereof the following: XXIII. Salaries. Fix the state's share of the salary or salaries of the superintendent, assistant superintendents, teacher consultants or business administrators in such manner that financial support to supervisory unions shall recognize the element of financial need to the end that supervisory and administrative services to public education shall be on a more equitable and efficient basis; provided, however, that the total amounts so fixed in any one fiscal year shall not exceed the amount specifically appropriated for the purpose by the general court. For the purpose of this paragraph the state's share of the annual salary of the superintendent shall be fixed by the state board of education so that each of the amounts so fixed shall vary between not less than two thousand five hundred dollars and not over seven thousand five hundred dollars in steps of two hundred fifty dollars in accordance with the ranges of latest equalized valuations per pupil in average daily membership of the several unions found by the state board of education to be suitable to give due recognition to the variation in equalized valuations per pupil in average daily membership of the several supervisory unions to the end that the state's share will vary inversely with the financial resources of the supervisory unions as measured by their equalized valuations per pupil in average daily membership. The state's share of the annual salaries of any assistant superintendent, teacher consultant or business administrator shall be fixed by the state board of education at a uniform rate for each such person not exceeding five thousand dollars per year.

3 Business Administrator; Functions. Amend RSA 186:11 by adding at the end thereof the following new paragraph: XXX. Business Administrator as referred to in paragraphs XXII and XXIII is defined as a person with specific training and experience which will enable him or her to keep books of account of the supervisory union and the school districts thereof, to prepare their operating and capital budgets, to act as purchasing agent for the supervisory union and the school

districts thereof, to prepare contracts for and to supervise repairs and maintenance of school buildings, to prepare contracts for and supervise and operate transportation facilities for the school districts and generally to assist the supervisory union and the school districts thereof in the administration of their business and financial affairs. All business administrator positions hereinafter established shall be only after a majority of the school districts in the supervisory union representing eighty-five per cent of the total pupils in the supervisory unions have voted favorably upon the establishment of the position.

4 Temporary Provision. The proceeds of the tax imposed by RSA 194:12 collected or collectible prior to December first, 1963 shall be retained in a special fund by the state treasurer until June 30, 1964, and, until said June 30, 1964, shall be used for no other purpose than the salaries of superintendents, assistant superintendents, teacher consultants, and business administrators for supervisory unions. On July 1, 1964, any balance remaining in said special fund shall be lapsed into the general fund of the state.

5 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 639, to benefit students at Keene Teachers college, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

Mrs. Brown of Sandwich explained the resolution of the committee.

The resolution was adopted.

SB 79, prohibiting the delivering of articles to prisoners in jails and houses of correction, Mr. Sherman of Lancaster for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

Concurrent Resolution petitioning Congress of the United States to call a convention for proposing an amendment to the Constitution, to provide for the election of President and Vice-President in a manner fair and just, Mr. Langford of Raymond



for Executive Departments and Administration. Resolution be adopted as amended.

### **Amendment to Concurrent Resolution**

Amend the concurrent resolution by inserting after the first paragraph of said concurrent resolution the following:

*Resolved*, That if and when Congress shall have proposed such an Article of Amendment this application for a Convention shall be deemed withdrawn and shall be no longer of any force and effect; and be it further

so that said concurrent resolution as amended shall read as follows:

#### **Concurrent Resolution**

petitioning the Congress of the United States to call a Convention for proposing an Amendment to the Constitution of the United States, unless Congress shall sooner have submitted such an Amendment, to provide for the election of the President and Vice President in a manner fair and just to the people of the United States.

*Whereas*, under the Constitution of the United States Presidential and Vice Presidential Electors in the several states are now elected on a statewide basis, each state being entitled to as many electors as it has senators and representatives in Congress; and

*Whereas*, the Presidential and Vice Presidential Electors who receive the plurality of the popular vote in a particular state become entitled to cast the total number of electoral votes allocated to that state irrespective of how many votes may have been cast for other Elector candidates; and

*Whereas*, this method of electing the President and Vice President is unfair and unjust in that it does not reflect the minority votes cast; and

*Whereas*, the need for a change has been recognized by members of Congress on numerous occasions through the introduction of various proposals for amending the Constitution; now, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring, that application is hereby made to Congress under

Article V of the Constitution of the United States for the calling of a Convention to propose an Article of Amendment to the Constitution providing for a fair and just division of the electoral votes within the States in the election of the President and Vice President; and be it further

*Resolved*, That if and when Congress shall have proposed such an Article of Amendment this application for a Convention shall be deemed withdrawn and shall be no longer of any force and effect; and be it further

*Resolved*, That copies of this application be transmitted to the Senate and House of Representatives of the United States, and to our senators and representatives in Congress.

\* \* \*

The amendment was adopted, and the concurrent resolution as amended was adopted.

HB 643, relative to make-up of election ballots, Mr. Cobleigh of Nashua for Executive Departments and Administration. Refer to the Legislative Council or Legislative Services Commission.

The resolution of the committee was adopted.

SB 1, relative to the form of ballots, Mr. Cobleigh of Nashua for Executive Departments and Administration. Refer to the Legislative Council or Legislative Services Commission.

The resolution was adopted.

SB 100, relating to the practice of accountancy, Mr. Cobleigh of Nashua for Executive Departments and Administration. Ought to pass with amendment.

### Amendment to SB 100

Amend paragraph (g) of section 3 by striking out said paragraph and inserting in place thereof the following:

(g) who is a high school graduate or has had an equivalent education.

Further amend section 3 by adding at the end thereof the following:

(h) and who has been in the employ of a certified public accountant for a period of at least four years or had similar responsible experience.

Further amend the bill by striking out section 4 and re-number sections 5, 6, 7, 8 and 9 to read 4, 5, 6, 7 and 8.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 580, to repeal charters of certain corporations, Mr. McMeekin of Haverhill for Executive Departments and Administration. Ought to pass with amendment.

### Amendment to HB 580

Amend section 1 of said bill by the following insertions:

1. Insert after "Ammonoosuc Corporation, The (West Milan, 1960)" the following: Amory Realty Corporation (Manchester, 1954)

2. Insert after "Amoskeag Rudnick Corp. (Manchester, 1960)" the following: Anderson Holding Company, Inc. (formerly Anderson Oil Co., Inc. Manchester, 1961)

3. Insert after "Ball Brand Distributors, Incorporated (Sandwich, 1960)" the following: Bank Park Corporation (Concord, 1953).

4. Insert after "Blue Mt. Construction Inc. (Grantham, 1955)" the following: Boardman's Inc. (Hillsborough, 1962)

5. Insert after "Broadcast Associates, Inc. (Nashua, 1958)" the following: J. R. Brock, Inc. (Manchester, 1959)

6. Insert after "Kentom Inc. (Portsmouth, 1960)" the following: James J. King Company, (Lancaster, 1956).

7. Insert after "Soucy & Sons, Inc. (Manchester, 1959)" the following: South Sutton Community Club, (South Sutton, 1920).

Further amend by striking out the following: Mountain Motors Co., Inc. (Albany, 1960).

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 22, to provide or retain public access to recreational bodies of water, Mr. Vashaw of Berlin for Fish and Game. Ought to pass.

The bill was ordered to a third reading.

HB 617, relative to redevelopment plans and urban renewal plans, Mr. Hayward of Milford for Municipal and County Government. Inexpedient to legislate.

The resolution was adopted.

SB 67, relative to the power of the town of Hampton to make by-laws, Mr. Morrill of Salem for Municipal and County Government. Ought to pass.

Mr. Stafford of Laconia moved that SB 67 be indefinitely postponed and spoke in favor of the motion.

(Mr. Peterson of Peterborough in the Chair)

(discussion ensued)

Mr. Cavalieri of Portsmouth spoke in favor of the motion.

Mr. Hill of Conway spoke against the motion.

Messrs. Stevenson of Bethlehem, Pickett of Keene, Angus of Claremont and Kimball of Manchester spoke in favor of the motion.

Mrs. Griffin of Auburn and Messrs. Hanson of Bow and Wheeler of Exeter spoke against the motion.

The motion to indefinitely postpone SB 67 prevailed.

HB 629, relative to practice of barbering, Mr. Green of Rollinsford for Public Health. Refer to the Legislative Council or Legislative Services Commission.

The resolution was adopted.

HB 638, relative to relocation of road in Rye, Mr. Fortier of Berlin for Public Works. Ought to pass with amendment.

### **Amendment to HB 638**

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Town of Rye. If and when any part of Route 1-A in the Town of Rye shall be relocated away from the shore any by-passed sections thereof lying on the shore side of said relocations shall become Class III highways.

2 Takes Effect. This act shall take effect upon its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 176, relative to furnishing accommodations and rendering services on state forests and reservations, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate.

The resolution was adopted.

HB 606, relating to mosquito control, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### **Amendment to HB 606**

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 State Committee. There is established a state committee on mosquito control to govern over the six regions of the state and their respective districts. The committee shall be composed of the state entomologist, the director of fish and game, the state forester, the director of the division of parks, the technical secretary of the water pollution commission, the chairman of the water resources board, and one person representing each of the six regional associations, to be designated by such several associations. Any member may be represented by his deputy or by some other person designated in writing. The members of the committee shall serve without compensation, but may be reimbursed for expenses incurred in the performance of their duties. The state committee shall hereinafter be known as "the committee". The public works division of the department of public works and highways, hereinafter known as "the department" shall serve as the fiscal agent for the committee. The functions of the public works division of the department of public works and highways in this respect shall be performed by such member of the division as the commissioner of public works and highways shall designate.

Amend paragraph III of section 3 of said bill by adding after the word "committee" the words, The department shall be reimbursed for the cost of service which it provides from funds made available under the provisions of this act, so that said paragraph as amended shall read as follows:

III. The department shall act as fiscal agent in contracting for receipt and expenditure of all funds made available to the committee and shall provide all administrative services required to carry out the functions of the committee. The department shall be reimbursed for the cost of service which it provides from funds made available under the provisions of this act.

Further amend said bill by striking out section 13 thereof.

Further amend said bill by renumbering section 14 to read section 13.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations.

HB 626, relative to marine fisheries, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

HB 636, providing for the widening and reconstruction of sidewalks on state-owned land at Hampton Beach, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate.

The resolution was adopted.

SB 58, permitting property tax exemptions of ski areas under certain conditions, Mrs. Hampson of Hebron for Resources, Recreation and Development. Inexpedient to legislate.

The resolution was adopted.

Concurrent Resolution petitioning congress of the United States to reject and defeat a proposal to amend the internal revenue code by abolishing the capital gains treatment of forest products, Mrs. Hampson of Hebron for Resources, Recreation and Deve'opment. Concurrent Resolution be adopted.

The concurrent resolution was adopted.

SB 85, enacting the interstate compact on motor vehicle safety equipment, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

HB 604, relative to the Dover city charter, Mr. Tuttle of Dover for the Dover Delegation. Ought to pass with amendment.

### **Amendment to HB 604**

Amend the bill by striking out sections 1, 2, 3, 4 and 5 and by renumbering sections 6 and 7 to read sections 1 and 2.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 600, relative to the police commissioners of the city of Dover, Mr. Tuttle of Dover for the Dover Delegation. Inexpedient to legislate, subject matter covered by existing legislation.

The resolution was adopted.

SB 7, increasing the salary of the Hillsborough county attorney, Mr. Pettigrew of Manchester for the Hillsborough county Delegation. Ought to pass with amendment.

### **Amendment to SB 7**

Amend section 1 of the bill by striking out the words "seventy-five hundred" in the sixth and fifteenth lines and inserting in place thereof the words, five thousand, so that said section as amended shall read as follows:

1 Hillsborough County Attorney. Amend RSA 7:35 (supp) as amended by 1955, 247:2, 1957, 34:1, 211:1, 1959, 6:1 and 1961, 107:1; 208:1 by striking out the words "In Hillsborough, thirty-eight hundred dollars" and inserting in place thereof the words, In Hillsborough, five thousand dollars, so that said section as amended shall read as follows: 7:35 Salaries. The annual salaries of the county attorneys in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars  
In Strafford, twenty-five hundred dollars  
In Belknap, three thousand dollars  
In Carroll, two thousand dollars  
In Merrimack, twenty-five hundred dollars  
In Hillsborough, five thousand dollars  
In Cheshire, three thousand dollars  
In Sullivan, two thousand dollars  
In Grafton, three thousand dollars  
In Coos, twenty-four hundred dollars.

Amend section 2 of the bill by striking out the word and figures, "July 1, 1963" and inserting in place thereof the word and figures, January 1, 1965, so that said section as amended shall read as follows:

2 Takes Effect. This act shall take effect January 1, 1965.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 312, relative to the salary of the justice of the Manchester Municipal court, Mrs. Ainley of Manchester for the Manchester Delegation. Ought to pass with amendment.

### Amendment to HB 312

Amend the title of said bill by inserting after the word "justice" the words, and clerk, so that said title as amended shall read: An Act relative to the salary of the justice and clerk of the Manchester municipal court.

Amend section 1 of the bill by striking out the word "twelve" in the eighth and fifteenth lines and inserting in place thereof the word, six, so that said section as amended shall read as follows:

1 Manchester Municipal Court. Amend paragraph I of RSA 502:7 (supp) as amended by 1955, 133:1, 182:1, 279:1, 296:1; 1957, 66:1, 83:1, 108:1, 125:1, 175:1, 209:1, 227:1, 234:1, 243:1; 1959, 7:1, 40:1, 105:1, 212:1; and 1961, 15:1 and 124:1, by striking out the words "In Manchester, five thousand one hundred dollars" and inserting in place thereof the words, In Manchester, six thousand dollars, so that said paragraph as amended shall read as follows I. Salaries of justices of municipal



courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, six thousand dollars;  
In Nashua, four thousand dollars;  
In Concord, four thousand dollars;  
In Portsmouth, three thousand five hundred dollars;  
In Dover, three thousand five hundred dollars;  
In Laconia, three thousand dollars;  
In Keene, three thousand dollars;  
In Claremont, two thousand three hundred dollars;  
In Berlin, twenty-two hundred dollars;  
In Rochester, one thousand eight hundred dollars;  
In Lebanon, one thousand five hundred dollars;  
In Newport, one thousand one hundred and fifty dollars;  
In Derry, twelve hundred dollars;  
In Franklin, one thousand two hundred dollars;  
In Exeter, twelve hundred dollars;  
In Somersworth, twelve hundred dollars;  
In Littleton, eight hundred dollars;  
In Hampton, one thousand dollars;  
In Milford, six hundred dollars;  
In Haverhill, eight hundred dollars;  
In Salem, one thousand dollars.

Further amend said bill by inserting after section 1 the following new section to read as follows:

2 Manchester Municipal Court Clerk. Amend RSA 502:17 (supp) as amended by 1957, 17:1, 108:2, 234:2, 1961, 82:1 and 1963, 14:1, by striking out the words "thirty-three hundred" in the \_\_\_\_\_ line and inserting in place thereof the words, thirty-eight hundred, so that said section as amended shall read as follows: 502:17 Salaries. The clerk of the Portsmouth municipal court shall receive an annual salary of two thousand dollars, the clerk of the Manchester municipal court shall receive an annual salary of thirty-eight hundred dollars, the clerk of the Dover municipal court shall receive an annual salary of one thousand dollars, to be paid by the respective cities in equal monthly payments; the salaries of all other clerks of municipal courts in cities and towns of five thousand population or more shall be not less than three hundred dollars, and as much more as the city or town in which said court is located may vote to pay.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

Mr. Walsh of Manchester offered the following amendment to the amendment and moved its adoption.

### **Amendment to Amendment HB 312**

Proposed amendment to HB 312, relative to the salary of the justice of the Manchester Municipal court.

Amend section 1 of the bill by inserting after the words "In Manchester, six thousand dollars" in the sixth and eleventh lines the words, provided, however, that court shall be convened on a six day week at 9 o'clock each morning, so that said section as amended shall read as follows:

1 Manchester Municipal Court. Amend paragraph I of RSA 502:7 (supp) as amended by 1955, 133:1, 182:1, 279:1, 296:1; 1957, 66:1, 83:1, 108:1, 125:1, 175:1, 209:1, 227:1, 234:1, 243:1; 1959, 7:1, 40:1, 105:1, 212:1; and 1961, 15:1 and 124:1, by striking out the words "In Manchester, five thousand one hundred dollars" and inserting in place thereof the words, In Manchester, six thousand dollars, provided, however, that court shall be convened on a six day week at 9 o'clock each morning. so that said paragraph as amended shall read as follows I. Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum

In Manchester, six thousand dollars; provided, however, that court shall be convened on a six day week at 9 o'clock each morning.

In Nashua, four thousand dollars;  
In Concord, four thousand dollars;  
In Portsmouth, three thousand five hundred dollars;  
In Dover, three thousand five hundred dollars;  
In Laconia, three thousand dollars;  
In Keene, three thousand dollars;  
In Claremont, two thousand three hundred dollars;  
In Berlin, twenty-two hundred dollars;  
In Rochester, one thousand eight hundred dollars;

In Lebanon, one thousand five hundred dollars;  
In Newport, one thousand one hundred and fifty dollars;  
In Derry twelve hundred dollars;  
In Franklin, one thousand two hundred dollars;  
In Exeter, twelve hundred dollars;  
In Somersworth, twelve hundred dollars;  
In Littleton, eight hundred dollars;  
In Hampton, one thousand dollars;  
In Milford, six hundred dollars;  
In Harverhill, eight hundred dollars;  
In Salem, one thousand dollars.

\* \* \*

On motion of Mr. Walsh, reading of the amendment was dispensed with.

Mr. Walsh explained the amendment.

Mr. Capistran of Manchester spoke against the amendment.

(discussion ensued)

Mr. Kimball of Manchester spoke in favor of the amendment.

On a *viva voce* vote the Chair was in doubt and requested a division.

187 members having voted in the affirmative and 47 in the negative the amendment was adopted.

The amendment as amended was adopted and the bill was ordered to a third reading.

HB 619, to revise the charter of the city of Nashua, Mr. Dionne of Nashua for the Nashua Delegation. Inexpedient to legislate.

The resolution was adopted.

HB 2, providing for a primary for the nomination of candidates for the city of Rochester, Mr. Marsan of Rochester for the Rochester Delegation. Inexpedient to legislate.

The resolution was adopted.

(Speaker in the Chair)

### Senate Messages

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 384, relative to gross weight of certain vehicles.

### Amendment to HB 384

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Motor Vehicles. Amend paragraph VI of RSA 263:61 (supp) as amended by 1955, 230:1 and 310:2 by striking out the same and inserting in place the following: VI Three axle vehicles with drive on two rear axles and having a gross weight of more than 55,000 pounds or more than 47,500 pounds while operating on the interstate and defense highway system.

\* \* \*

On motion of Mr. Sherman of Lancaster the House concurred in the Senate amendment.

### Reconsideration

Mr. Hughes of Brookfield moved that the House reconsider its vote whereby it killed HB 583, providing state aid for transportation of school pupils in school districts having no schools, and spoke in favor of the motion.

(discussion ensued)

Mr. O'Neil of Chesterfield explained the resolution of the committee.

(discussion ensued)

Mr. Brummer of Lisbon spoke in favor of the motion.

On a *viva voce* vote the Nays appeared to have it.

Mr. Hughes requested a division.

149 members having voted in the affirmative and 123 in the negative the motion to reconsider prevailed and the Chair referred the bill to Appropriations under the Rules.

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 367, relative to the salary of, and amount of fees to be collected by, the register of deeds of Rockingham County.

### Amendment to HB 367

Amend RSA 478:21 as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following: 472:21 Assistants. The said Register of Deeds is authorized to employ such assistants as may be required. The number of such assistants and the salaries to be paid such assistants shall be determined by the Executive Committee of the County Delegation. The salaries of such assistants and any other expenses of the office of said Register of Deeds shall be paid by the County of Rockingham.

Amend section 4 of the bill by striking out the same and inserting in place thereof the following: 4 Takes Effect. This act shall take effect as of January 1, 1964.

\* \* \*

On motion of Mr. Osborne of Portsmouth the House concurred in the Senate amendment.

\* \* \*

On motion of Mrs. Brown of Sandwich the rules of the House were so far suspended as to permit a public hearing on the following bills without two days notice:

HB 569, relative to aid for emotionally disturbed children.

SB 135, relative to state aid for school construction.

### Recess

### After Recess

### Senate Messages

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 130, relative to cost of vaccinating infected animals.

SB 98, regulating the issuance of motor vehicle number plates.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 130, relative to cost of vaccinating infected animals, to Agriculture.

SB 98, regulating the issuance of motor vehicle number plates, to Transportation.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 593, relative to legal assistance for land acquisition.

HB 531, relative to unemployment compensation.

HB 385, relative to minimum wages.

HB 478, relative to the Beaver Brook Flood Control Project.

### **Resolutions**

Mr. Vachon of Manchester offered the following resolutions:

*Whereas*, The College of Cardinals of the Roman Catholic Church, assembled in the Sistine Chapel at St. Peter's in Rome, Italy, have elected as the new Pope, Giovanni Battista Cardinal Montini, who will take the name of Pope Paul VI, and who will be the 262nd Pontiff of the Roman Catholic Church, and

*Whereas*, the choice is considered a very wise and provident one, Cardinal Montini being the former Archbishop of Milan, a very learned man of great piety and experience, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the General Court of New Hampshire, United States of America, in session at Concord this 21st day of July in the Year of Our Lord, 1963, hereby congratulate the College of Cardinals on its excellent choice, and extend our very best wishes to the new Pope for his good health and future success

in his administration as the head of the Roman Catholic Church, and be it further

*Resolved*, that a copy of these Resolutions be sent to His Holiness, Pope Paul VI.

The resolutions were unanimously adopted.

Mr. Allen of Rindge offered the following resolutions:

*Whereas*, John D. Shea, Representative from Keene, has been hospitalized in the Elliot Hospital in Keene as the result of an automobile accident, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, extend to our Fellow Member our sympathy and extend to him our best wishes for his return to good health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Shea.

The resolutions were unanimously adopted.

On motion of Mr. Dionne of Nashua the rules of the House were so far suspended as to permit committee reports on the following bills:

SB 121, relative to the Nashua Airport Authority, Mr. Dionne of Nashua for the Nashua Delegation, Ought to pass.

Mr. Dionne spoke in explanation of the bill.

The bill was ordered to a third reading.

SB 132, providing for the integration of the present non-contributory pension system of the city of Nashua with old age and survivors insurance. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Mahoney of Manchester the rules of the House were so far suspended as to permit introduction of a committee report on SB 92.

SB 92, relative to chiropodists, Mrs. Arsenault of Randolph for Public Health. Ought to pass with amendment.

#### **Amendment to SB 92**

Amend the bill by inserting after section 4 a new section as follows:

5 Appropriation. There is hereby appropriated the sum of money sufficient to make, together with the amount appro-

priated by HB 545, a total sum of two hundred twenty-five dollars available for expenditure by the board of podiatry for personal services. Said sum shall be a charge against the fund of the board of podiatry.

Further amend the bill by renumbering section 5 to read section 6.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### Committee of Conference

The Committee on Conference, to whom was referred House Bill No. 545, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964, having considered the same report the same with the following recommendations:

First, that the House recede from its position of non-concurrence in the following amendments adopted by the Senate and concur in said amendments:

The amendments to section 1 of the bill relative to the following items:

Amend the bill in the appropriation For board of chiropody, by striking out said appropriation and inserting in place thereof the following:

For board of chiropody:

Personal services:

Other	\$225
Current expenses	55
Travel	25

Total*	\$305
Less revenue and balance	305

Net appropriation	0
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\* This amount available for expenditure only if funds are available from revenue and balance.



Amend the bill in the appropriation for pharmacy commission by striking out said paragraph and inserting in place thereof the following:

For pharmacy commission for the period  
from July 1, 1963 to January 1, 1964:

Personal services, other	\$255	
Current expenses	150	
Travel	363	
		<hr/>
Total		\$768

For said commission for period January 1,  
1964 to June 30, 1964¶

Salary of inspector	\$2,500
Other personal services	925
Current expenses	250
Travel	1,150
Equipment	350

Total	\$5,175
Less income	5,175

Net appropriation		<hr/> <hr/>	0
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¶ Expenditures from this appropriation shall be solely from and limited to, the amount of income in the pharmacy fund. Any excess of revenue shall not lapse.

Amend the appropriation, For board of education: Keene teachers college: in the subsection Operation and maintenance of plant, by striking out said subsection and inserting in place thereof the following:

Operation and maintenance of plant:

Personal services:

Permanent	\$59,246
Other¶	6,000

Total	\$65,246
Current expenses	80,500
Equipment	3,390

Total		<hr/>	149,136*
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¶ In this appropriation \$2,000 shall be used for student help only.

\* Within this amount there is appropriated a sum of \$7,147 to provide for additional personal services and other expenditures as follows: \$3,647 for 1 additional Painter I; \$1,000 for Other personal services temporary, summer help; \$1,500 for supplies and materials, which shall not lapse but shall be available for expenditure the following year, and \$1,000 for equipment (ladders and metal scaffolding). This appropriation is made to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For board of education; Keene teachers college by striking out the words and figures "Total for Keene teachers college \$1,146,459" and inserting in place thereof, Total for Keene teachers college \$1,153,606. Further amend by striking out the words and figures "Net appropriation 435,797" and inserting in place thereof, Net appropriation 442,944.

Further amend the appropriation For board of education, Plymouth teachers college, in the subsection, Operation and maintenance of plant: by striking out said subsection and inserting in place thereof the following:

Operation and maintenance of plant:

Personal services:

Permanent	\$64,074
Other†	8,000

Total	\$72,074
Current expenses	67,925
Equipment	3,785

Total	143,784*
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† In this appropriation \$3,000 shall be for student help only.

\* Within this amount there is appropriated a sum of \$6,347 to provide for additional personal services and other expenditures, as follows: \$3,647 for 1 Painter I, and \$2,700 for maintenance materials, which shall not lapse but shall be available for

expenditure the following year. This appropriation is made to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For board of education, Plymouth teachers college, by striking out the words and figures "Total for Plymouth teachers college \$1,008,382" and inserting in place thereof, Total for Plymouth teachers college \$1,014,729. Further amend said appropriation For board of education; Plymouth teachers college, by striking out "Net appropriation 337,764" and inserting in place thereof, Net appropriation 344,111.

Further amend the appropriation For board of education, by striking out at the end of said appropriation the words and figures, "Total for board of education \$6,387,305" and inserting in place thereof Total for board of education \$6,400,709. Further amend by striking out the words and figures, "Net appropriation \$5,585,565" and inserting in place thereof, Net appropriation \$5,599,059.

Amend the bill in the appropriation For liquor commission: by striking out said appropriation and inserting in place thereof the following:

For liquor commission:

Administration:

Salaries of three commissioners	\$30,724	
Other personal services:		
Permanent	238,407	
Other	8,595	
	<hr/>	
Total	\$277,726	
Current expenses	52,000*	
Travel	31,000	
Equipment	1,200	
Other expenditures:		
Oasi and retirement	19,600	
	<hr/>	
Total		\$381,526

\*In this appropriation \$2,000 shall be for the ladies lounge and shall not be used for any other purpose or transferred to any other account.

## Stores operation:

## Personal services:

Permanent	\$878,992
Other	57,000

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Total	\$935,992
Current expenses	331,000
Travel	10,000
Equipment	26,402
Other expenditures:	
Oasi and retirement	68,100

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Total	1,371,494
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## Warehouse:

## Personal services:

Permanent	\$105,755
Other	5,000

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Total	\$110,755
Current expenses	10,500
Equipment	2,675
Other expenditures:	
Oasi and retirement	7,750

Total	131,680
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Total for liquor commission	\$1,884,700
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Amend the bill in the appropriation For tax commission: in the paragraph Forest conservation aid for purposes provided under RSA 79 (Supplement): by striking out the words and figures, "Forest conservation aid \$49,200" and inserting in place thereof Forest conservation aid \$49,200\*. Further amend said appropriation For tax commission, by inserting at the end thereof the following footnote: \*The funds in this appropriation shall not lapse but shall be available for expenditure in the following year.

Amend the bill in the appropriation For employees retirement system: by striking out the words and figures "Current expenses 1,500" and inserting in place thereof, Current expenses 2,000. Further amend by striking out the words and figures

“Total \$354,888” and inserting, Total \$355,388. Further amend by striking out the words and figures “Net appropriation \$343,288” and inserting, Net appropriation \$343,788.

Second, that the House recede from its position of non-concurrence and the Senate recede from its position of adopting its other amendments and that the House and Senate concur in the adoption of the following amendments:

Amend the bill in the paragraph for the legislative branch by striking out the fourth footnote thereto and inserting in place thereof the following:

¶¶ During the period when the legislature is not in session no expenditure shall be charged against the appropriation for the expenses of the legislature, exclusive of the appropriations included therein for the office of the legislative budget assistant to the appropriations and finance committees, the office of research analyst to the senate finance committee, and the office of the director of legislative services, without the approvals of the president of the senate and the chairman of the senate finance committee, or without the approvals of the speaker of the house and the chairman of the house appropriations committee. In the event of a vacancy in the office of the chairman of either of said committees, the vice chairman of said committee shall exercise the authority herein conferred on the chairman.

Amend the bill in the appropriation For agriculture: Office of commissioner, by changing the figures for “Other personal services: Permanent” as follows: 31,064 changed to 37,028; by changing the figures for “Total” for personal services as follows: 40,827 changed to 46,791; and by changing the figures for “Current expenses” as follows: 3,700 changed to 8,700; by changing the figures for “Travel” as follows: 3,400 changed to 4,150; and by changing the figures for “Total” for office of the commissioner as follows: 75,353 changed to 87,067. Further amend by changing the figures for “Total for department of agriculture” as follows: 340,275 changed to 351,989; and by changing the figures for “Net appropriation” as follows: 332,525 changed to 344,239.

Amend the bill in the appropriation For attorney general: Office of the attorney general: by striking out the words and figures, “Commission on uniform laws 1,000” and inserting in place thereof, the following:

## Commission on uniform laws:

Dues	\$600	
Travel	400	1,000

Further amend the bill in the appropriation For attorney general, by inserting after the subsection "Office of attorney general" the following new subsection:

## Legal assistance for land acquisition:

## Personal services:

Permanent	24,608	
Other expenditures:		
Travel, current expenses and equipment	6,000	

Total	<u>30,608</u>	
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Less transfer from highway fund	<u>30,608</u>	
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Net appropriation		0
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Amend the bill in the appropriation For department of health and welfare: Division of welfare, in the subsection Medical aid to aged, by striking out said subsection and inserting in place thereof the following:

## Medical aid to aged:

State's share	\$290,000	
Less balance	<u>200,000</u>	
Net appropriation		90,000
Federal*	\$345,684	
Less estimated revenue*	<u>345,684</u>	0

Further amend the Division of welfare by changing the figures for "Total for division of welfare" as follows: 3,407,224 changed to 3,447,224; and by changing the figures for "Net appropriation" of said division as follows: 2,987,171 changed to 3,027,171. Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school, in the subsection Maintenance of plant by striking out

said subsection and inserting in place thereof the following:

Maintenance of plant:

Personal services:

Permanent	\$38,473
Current expenses*	29,000
Equipment	2,400

Other expenditures:

Materials for certain maintenance projects***	7,500
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Total**	<hr/> 77,373
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\*In this appropriation \$12,000 shall be for care of grounds, snow removal, etc., and the institution's farm shall receive credit for all supplies, work and services rendered even though in excess of \$12,000. No part of this appropriation shall be transferred to any other appropriation or expended for any other purpose.

\*\*Within this amount there is appropriated a sum of \$14,966 for additional personal services and other expenditures, as follows: \$3,647 for 1 additional Painter I, \$3,819 for 1 Carpenter, and \$7,500 for Other expenditures, materials for certain maintenance projects, to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

\*\*\*This appropriation shall not lapse but shall be available for the purposes specified in the following year.

Further amend the appropriation For department of health and welfare, Division of mental health, Laconia state school by striking out the words and figures, "Total for Laconia state school \$1,729,103" and inserting in place thereof, Total for Laconia state school \$1,746,069. Further amend by striking out the words and figures "Net appropriation \$1,716,103" and inserting in place thereof the words and figures, Net appropriation \$1,733,069.

Further amend the appropriation For department of health and welfare: Division of mental health: State hospital in the subsection Professional care and treatment, by striking out the same and inserting in place thereof, the following:

## Professional care and treatment:

Salary of director of psychiatric education and research†	\$12,220
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Salaries of two directors of clinical services	23,938
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Salary of director of out-patient services	12,116
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Salary of director of clinical and surgical services**	13,345
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## Other personal services:

Permanent¶	2,603,653
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Other	100,000
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Total	\$2,765,272
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Current expenses	114,000*
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Travel	3,500
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Equipment	6,000
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Total	2,888,772
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†The appropriation for the state hospital includes funds for maintenance for certain positions, one of which is the director of psychiatric education and research. In lieu of maintenance, notwithstanding any other provision of law, the sum of \$2,500 shall be paid to said director, G. Donald Niswander, from any funds appropriated for current expenses within said appropriation for the state hospital.

\*\* Notwithstanding any other provision of law, a position of director of clinical and surgical service is provided herewith.

¶ Three new positions of senior psychiatrist, salary not to exceed \$11,764 each together with maintenance not to exceed \$2,500 each, are hereby authorized under the following provisions. Salaries for said positions shall be found within the appropriations made herein of \$2,603,653 for other personal services: permanent, for professional care and treatment and of \$637,182 for personal services: permanent, for custodial care. Maintenance for said positions shall likewise be found within the appropriations made herein of \$114,000 for current expenses for professional care and treatment and of \$665,000 for



current expenses for custodial care. Any funds lapsed under the provisions of RSA 99:4 (supp.) to the salary adjustment fund from permanent personal services for professional care and treatment and from permanent personal services for custodial care, or so much thereof as may be necessary, shall be returned to permanent personal services for professional care and treatment to cover the salaries of the above positions authorized.

\* In this appropriation \$80,000 shall be for drugs.

Amend the bill in the appropriation For department of health and welfare, Division of mental health, State hospital, in the subsection, Maintenance of plant: by striking out said subsection and inserting in place thereof the following:

Maintenance of plant:

Personal services:

Permanent	\$229,523
Other	350
Total	<hr/> \$229,873
Current expenses	45,000
Equipment	1,200

Other expenditures:

Materials for certain maintenance projects*	13,000
Moving of switchboard to Twitchell Building and conversion to two (2) operator board**	5,500

Total***	<hr/> 294,573
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\* This appropriation shall not lapse but shall be available for the purposes specified in the following year.

\*\* This appropriation shall not be expended or transferred for any other purpose.

\*\*\* Within this amount there is appropriated a sum of \$16,647 to provide for additional personal services and other expenditures, as follows: \$3,647 for 1 additional Painter I, and \$13,000 for Other expenditures, Materials for certain maintenance projects, to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For department of health and welfare, Division of mental health, State hospital, by striking out the words and figures, "Total for state hospital \$5,188,283" and inserting in place thereof, Total for state hospital \$5,210,430. Further amend by striking out the words and figures "Net appropriation \$5,135,283" and inserting in place thereof, Net appropriation \$5,157,430.

Further amend the appropriation For department of health and welfare, Division of mental health, by striking out the words and figures, "Total for division of mental health 7,022,882" and inserting in place thereof, Total for division of mental health 7,101,995.

Further amend the appropriation For department of health and welfare, by striking out at the end of said appropriation the words and figures, "Total for department of health and welfare \$11,342,153" and inserting in place thereof, Total for department of health and welfare \$11,421,266.

Amend the bill in the appropriation For department of labor, in the subsection Factory inspection, by striking out same and inserting in place thereof the following:

Factory inspection:

Personal services:

Permanent**	\$50,427
Current expenses	1,840
Travel	8,800
Equipment	10,285

Total	<hr/> 71,352
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\*\* Within this appropriation there shall be one position of clerk steno. III.

Further amend said appropriation by changing the figures for "Total for department of labor" as follows: 134,938 changed to 142,645; and by changing the figures for "Net appropriation" of said department as follows: 92,448 changed to 100,145.

Amend the bill in the appropriation For resources and economic development, in the subsection Office of commissioner: by striking out said subsection and inserting in place thereof the following:

Office of commissioner:	
Salary of commissioner	\$13,292
Other personal services:	
Permanent	195,526
Other	7,000
	<hr/>
Total	\$215,818
Current expenses	32,000*
Travel	5,500
Equipment	18,000
	<hr/>
Total	\$271,318
Less estimated revenue	15,443
	<hr/>
Net appropriation	\$255,875

\* In this appropriation \$10,390 is for maintenance of the resources development division and shall not be transferred or used for any other purpose.

Further amend the appropriation, For resources and economic development: Division of resources development: subsection Administration: by striking out said subsection and inserting in place thereof the following:

Division of resources development:	
Administration:	
Salary of director	\$11,007
Other personal services:	
Permanent	227,721
Other	35,186*
	<hr/>
Total	\$273,914
Current expenses	42,982†
Travel	21,000
Equipment	16,841
Other expenditures:	
State's share of town training bills**	3,000
State's share of town prevention bills**	2,200
	<hr/>
Total	\$359,937

Less revenue—	
Clarke-McNary	
law—section 2	80,000†
Less other revenue	
and balance	37,670§
	<hr/>
Net appropriation	242,267

\* In this appropriation \$20,000 shall be for the state's share for ten county foresters.

† In this appropriation \$15,443 shall be for services for plant maintenance performed by the office of the commissioner and shall not be transferred or used for any other purpose.

\*\* Any expenses lawfully incurred under the provisions of RSA 224:15, in excess of these amounts shall be paid from funds in the treasury not otherwise appropriated, subject to prior approval by the governor and council.

‡ If the federal grant under Clarke-McNary law, section 2 exceeds this amount, such excess shall be expended for forest fire motor vehicle replacement, forest fire radio equipment, and forest fire prevention.

§ Any excess revenue and balance over this amount shall be available for such further expenditures as the governor and council shall approve.

Further amend the bill in the appropriation For resources and economic development, Division of economic development; in the subsection Administration: by striking out said subsection and inserting in place thereof the following:

Division of economic development:

Administration:

Salary of director	\$10,791
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Other personal services:

Permanent†	182,007
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Other	8,876
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Total	<hr/> \$201,674
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Current expenses	162,250
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Travel	22,669
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Equipment	1,240
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## Other expenditures:

Regional associations*	30,000
Eastern states exposition	8,000
Boston office	13,000
Cleveland office	6,000
Montreal office	10,500
New York office	11,500
Economic growth survey	3,500
Special promotion, planning and advertising¶	75,000

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Total	\$545,333
Less revenue	3,197

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Net appropriation \$542,136

† In this appropriation funds have been included for two additional positions of industrial agent, one shall be assigned to the three northern counties of Carroll, Coos and Grafton; and one shall be assigned primarily for areas of unemployment.

\* This appropriation shall be administered by the division of economic development for the aid of the regional development associations. Not more than \$5,000 may be allotted by the director to any one regional association whose bounds, form of organization and program shall have first been approved by the director. Any unexpended portion of this appropriation shall not be transferred to any other state appropriation, but shall lapse.

¶ No expenditure shall be made from this appropriation without prior approval by the governor and council.

Further amend said appropriation for Division of economic development, by striking out at the end thereof, the words and figures "Total for division of economic development 542,850" and inserting in place thereof, Total for division of economic development 544,136.

Note: The position of agricultural promotion assistant, previously carried herein (salary \$5,964), has been transferred to the department of agriculture.

Further amend the bill in the appropriation For resources and economic development; Division of parks: in the subsection,

Self-supporting parks: by striking out the word and figures "Permanent \$306,487" and inserting in place thereof, Permanent \$309,684. Further amend by striking out the word and figures "Other \$200,000" and inserting in place thereof, Other \$196,803. Further amend the appropriation For resources and economic development: by striking out at the end of said appropriation the words and figures "Total for department of resources and economic development \$1,171,840" and inserting in place thereof, Total for department of resources and economic development \$1,173,445.

Amend the bill in the appropriation For department of safety, subsection Initial plate fund:¶ by inserting after the words and figures Police training school 4,000, a new item:

Child safety council, educational services 2,000

Further amend said subsection by striking out the words and figures "Total \$63,191" and inserting in place thereof, Total \$65,191. Further amend by striking out the words and figures "Less estimated revenue 63,191" and inserting in place thereof, Less estimated revenue 65,191.

Amend the bill in the appropriation, For bank commissioner: by striking out said appropriation and inserting in place thereof the following:

For bank commissioner:

Administration:

Salary of commissioner	\$12,192
Salary of deputy commissioner	9,715
Salary of assistant commissioner	8,850

Other personal services:

Permanent	139,384*
Other	4,817

Total	\$174,958
Current expenses	27,315
Travel	25,000
Equipment	7,634
Other expenditures:	
Oasi and retirement	12,288
Total	\$247,195

Less revenue†	235,003	
	<hr/>	
Net appropriation		\$12,192

\* In this appropriation \$39,113 shall be for five bank examiners III. Any of these positions not filled prior to April 1, 1964 are hereby abolished and the funds appropriated for said positions shall not be used for any other purpose.

† The bank commissioner shall collect in the manner indicated in section 2 of this act, from the institutions, the condition and management of which he is required to examine and supervise under the provisions of RSA 383:9 as the cost of such supervision and examination, a sum equal to the amount of the difference between the total amount appropriated for the bank commissioner's department and the amount designated herein as the salary of the commissioner, for the fiscal year ending June 30, 1964. Any excess collected under the provisions hereof shall be used to reduce the amount required to be collected from the above mentioned institutions in the fiscal year 1965.

Special fund—re small loan licenses and  
motor vehicle sales finance licenses:¶

Personal services:

Permanent	\$10,439
Current expenses	720
Travel	2,290
Equipment	2,860

Other expenditures:

Oasi and retirement	742
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Total	\$17,051
Less revenue	17,051

Net appropriation	<hr/>	0
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¶ Notwithstanding any law to the contrary, expenditures from this fund shall be subject to budgetary limitations.

Total for bank commissioner	<hr/> <hr/>	\$12,192
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Amend the bill in the appropriation For public works and highways, in the subsection Legislative specials, by changing the figures for "Attorney general—legal services" as follows: 30,515 changed to 61,123; and by changing the figures for "Total" for Legislative specials as follows: 2,541,711 to 2,572,319. Further amend said appropriation for public works and highways by changing the figures for "Total for public works and highways" as follows: 46,540,460 changed to 46,571,068; by changing the figures for "Balance of available funds" under "Less estimated revenue and balance" as follows: 1,115,107 changed to 1,209,068; and by changing the figures for "Total" for Less estimated revenue and balance as follows: 46,540,460 changed to 46,571,068.

Amend section 1 of the bill by striking out at the end of the section the words and figures "Total net appropriation for the fiscal year ending June 30, 1964 \$32,055,938" and inserting in place thereof, Total net appropriation for the fiscal year ending June 30, 1964 \$32,266,792.

Amend section 9 of the bill by striking out said section and inserting in place thereof the following:

9 Travel Allowances and Other Expenses. Notwithstanding any other provision of law, a member of the general court, when engaged in official business on behalf of the legislature other than at Concord, and whether or not the legislature is then in session, shall be reimbursed for travel and expenses incident to such business at the same rates as would be allowed a state employee having his headquarters in the city or town of the residence of such member, provided that such travel be authorized by the president of the senate, with the approval of the chairman of the senate finance committee, or by the speaker of the house with the approval of the chairman of the house appropriations committee. Authority is also granted hereby to the president of the senate with the approval of the chairman of the senate finance committee, and to the speaker of the house with the approval of the chairman of the house appropriations committee, to cause payment of expenses incidental to the operation and business of the legislature while the legislature is in recess, except such expenses as are otherwise by law provided for. Any and all expenditures under this section shall not exceed \$10,000 and shall be chargeable against the legislative appropria-



tion. In the event of a vacancy in the office of president of the senate or of speaker of the house during the recess of the legislature, the chairman of the senate finance committee or the chairman of the house appropriations committee respectively, shall have and exercise the authority conferred upon the president and the speaker by this section.

Amend section 15 of the bill by striking out said section and inserting the following new sections:

15 Reports. The following institutions; Keene teachers college, Plymouth teachers college, Laconia state school and the State Hospital, shall between July 1, 1963 and December 31, 1964, each three month period, each make a report to the Research Analyst to the Senate Finance Committee and to the Legislative Budget Assistant, showing the progress made on each maintenance project.

16 Maintenance of Office Machinery. The director of purchase and property is hereby directed to effect the discontinuance of "maintenance contracts" on office machines (other than machines on a rental basis) at the expiration of the contracts now in effect whenever he deems such discontinuance to be in the best interest of the state.

17 The research analyst to the senate finance committee established by RSA 14:40 may hire assistants as required within the limits of the appropriation and balance available.

18 Notwithstanding any other provision of law, there is hereby established a committee consisting of the governor, one member to be appointed by the president of the senate and one member to be appointed by the speaker of the house, whose duty it shall be to assign rooms on the third floor of the state house.

19 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

Arnold T. Clement  
George S. Pappagianis  
Howell F. Shepard  
Conferees on the Part of the House

Forrest W. Hodgdon  
Arthur M. Drake  
Paul E. Provost  
Conferees on the Part of the Senate

The Clerk read the report in full.

Mr. Clement of Rochester explained the report.

(discussion ensued)

The committee of conference report was adopted.

\* \* \*

The Committee on Conference, to whom was referred House Bill No. 546, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965, having considered the same report the same with the following recommendations:

First, that the House recede from its position of non-concurrence in the following amendments adopted by the Senate and concur in said amendments:

The amendments to section 1 of the bill relative to the following items:

Amend the bill in the appropriation For board of chiropody: by striking out said appropriation and inserting in place thereof the following:

For board of chiropody:

Personal services:

Other	\$225
Current expenses	55
Travel	25
Total*	\$305
Less revenue and balance	305

Net appropriation	<u>0</u>
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\* This amount available for expenditure only if funds are available from revenue and balance.

Amend the bill in the appropriation For pharmacy commission, by striking out said appropriation and inserting in place thereof the following:

For pharmacy commission:

Salary of inspector	\$5,500
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Other personal services:		
Other	1,850	
Current expenses	350	
Travel	2,300	
	<hr/>	
Total*	\$10,000	
Less estimated revenue*	10,000	
	<hr/>	
Net appropriation		<u>0</u>

\* Expenditures from this appropriation shall be solely from, and limited to, the amount of revenue collected by the commission and shall not be in excess of this amount. An unexpended balance in the Pharmacy Fund as established by RSA 318 as amended by Chapter 83, Laws of 1963, shall not lapse.

Amend the appropriation For board of education, in the subsection School building construction, by changing the figures for said subsection as follows: 1,105,017 changed to 1,315,856.

Further amend in the appropriation For board of education: Keene teachers college: in the subsection Operation and maintenance of plant, by striking out said subsection and inserting in place thereof the following:

Operation and maintenance of plant:		
Personal services:		
Permanent	\$59,864	
Other¶	6,000	
	<hr/>	
Total	\$65,864	
Current expenses	80,000	
Equipment	2,390	
	<hr/>	
Total		148,254*

¶ In this appropriation \$2,000 shall be used for student help only.

\* Within this amount there is appropriated a sum of \$5,828 to provide for additional personal services and other expenditures as follows: \$3,828 for 1 additional Painter I; \$1,000 for Other personal services, temporary, summer help; and \$1,000

for materials. This appropriation is made to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For board of education; Keene teachers college, by striking out the words and figures, "Total for Keene teachers college \$1,169,285" and inserting in place thereof, Total for Keene teachers college \$1,175,113. Further amend by striking out the words and figures "Net appropriation 412,602" and inserting in place thereof, Net appropriation 418,430.

Further amend the appropriation For board of education; Plymouth teachers college: in the subsection Operation and maintenance of plant; by striking out said subsection and inserting in place thereof the following:

Operation and maintenance of plant:

Personal services:

Permanent	\$64,793
Other†	7,278
	<hr/>
Total	\$72,071
Current expenses	77,325
Equipment	2,600
	<hr/>

Total*	151,996
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† In this appropriation \$3,000 shall be for student help only.

\* Within this amount there is appropriated a sum of \$6,428 to provide for additional personal services and other expenditures as follows: \$3,828 for 1 additional Painter I, and \$2,600 for maintenance materials. This appropriation is made to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For board of education, Plymouth teachers college, by striking out the words and figures, "Total for Plymouth teachers college \$1,064,292" and inserting in place thereof, Total for Plymouth teachers college \$1,070,720. Further amend by striking out the words and figures "Net ap-

propriation 320,686" and inserting in place thereof, Net appropriation 327,114.

Further amend the appropriation For board of education, by striking out at the end of said appropriation the words and figures, "Total for board of education \$6,321,999" and inserting in place thereof, Total for board of education \$6,545,094. Further amend by striking out the words and figures, Net appropriation \$5,739,373" and inserting in place thereof, Net appropriation \$5,962,468.

Amend the bill in the appropriation For liquor commission: by striking out said appropriation and inserting in place thereof the following:

For liquor commission:

Administration:

Salaries of three commissioners	\$30,724
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Other personal services:

Permanent	241,980
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Other	8,595
-------	-------

Total	\$281,299
-------	-----------

Current expenses	49,500
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Travel	31,000
--------	--------

Equipment	350
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Other expenditures:

Oasi and retirement	19,925
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Total	\$382,074
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Stores operation:

Personal services:

Permanent	\$889,771
-----------	-----------

Other	57,000
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Total	\$946,771
-------	-----------

Current expenses	341,000
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Travel	10,000
--------	--------

Equipment	9,575
-----------	-------

Other expenditures:

Oasi and retirement	70,400
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Total	1,377,746
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## Warehouse:

## Personal services:

Permanent	\$106,876
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Other	5,000
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Total	\$111,876
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Current expenses	17,700
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Equipment	1,500
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## Other expenditures:

Oasi and retirement	8,200
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Total	139,276
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Total for liquor commission	\$1,899,096
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Amend the bill in the appropriation For employees retirement system: by striking out the words and figures "Current expenses 1,500" and inserting in place thereof, Current expenses 2,000. Further amend said appropriation by striking out the words and figures, "Total \$357,690" and inserting, Total \$358,190. Further amend by striking out the words and figures, "Net appropriation \$346,090" and inserting, Net appropriation \$346,590.

Second, that the House recede from its position of non-concurrence and the Senate recede from its position of adopting its other amendments and that the House and Senate concur in the adoption of the following amendments:

Amend the bill in the paragraph for the legislative branch by striking out the third footnote thereto and inserting in place thereof the following:

¶¶ During the period when the legislature is not in session no expenditure shall be charged against the appropriation for the expenses of the legislature, exclusive of the appropriations included therein for the office of the legislative budget assistant to the appropriations and finance committees, the office of research analyst to the senate finance committee, and the office of the director of legislative services, without the approval of the president of the senate and the chairman of the senate finance committee, or without the approvals of the speaker of the house and the chairman of the house appropriations committee. In the

event of a vacancy in the office of the chairman of either of said committees, the vice chairman of said committee shall exercise the authority herein conferred on the chairman.

Amend the bill in the appropriation For judicial branch: For supreme court, by changing the figures for "Equipment" as follows: 150 changed to 300; by changing the figures for "Total" for supreme court as follows: 116,568 changed to 116,718; by changing the figures for "Net appropriation" for said court as follows: 115,968 changed to 116,118; and by changing the figures for "Total for judicial branch" as follows: 376,979 changed to 377,129.

Amend the bill in the appropriation For agriculture: Office of commissioner, by changing the figures for "Other personal services: Permanent" as follows: 31,064 changed to 37,028; by changing the figures for "Total" for personal services as follows: 41,072 changed to 47,036; and by changing the figures for "Current expenses" as follows: 3,900 changed to 8,900; by changing the figures for "Travel" as follows: 3,400 changed to 4,150; and by changing the figures for "Total" for office of the commissioner as follows: 74,872 changed to 86,586. Further amend by changing the figures for "Total for department of agriculture" as follows: 334,819 changed to 346,533; and by changing the figures for "Net appropriation" as follows: 327,069 changed to 338,783.

Amend the bill in the appropriation For attorney general: Office of the attorney general: by striking out the words and figures, "Commission on uniform laws 1,000" and inserting in place thereof, the following:

Commission on uniform laws:

Dues	\$600	
Travel	400	1,000

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Further amend the bill in the appropriation For attorney general, by inserting after the subsection "Office of attorney general" the following new subsection:

Legal assistance for land acquisition:

Personal services:

Permanent	25,352
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## Other expenditures:

Travel and current expenses	5,000	
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Total	30,352	
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Less transfer from highway fund	30,352	
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Net appropriation		0
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Amend the bill in the appropriation For department of health and welfare: Division of welfare, in the subsection Medical aid to aged, by striking out said subsection and inserting in place thereof the following:

## Medical aid to aged:

State's share	\$310,000	
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Less balance	200,000	
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Net appropriation		110,000
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Federal*	\$356,960	
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Less estimated revenue*	356,960	
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Net appropriation		0
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Further amend the Division of welfare by changing the figures for "Total for division of welfare" as follows: 3,474,061 changed to 3,534,061; and by changing the figures for "Net appropriation" of said division as follows: 3,091,351 changed to 3,151,351. Further amend the appropriation For department of health and welfare: Division of mental health: Laconia state school, in the subsection Maintenance of plant by striking out said subsection and inserting in place thereof the following:

## Maintenance of plant:

## Personal services:

Permanent	\$39,078	
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Current expenses*	29,000	
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Equipment	1,115	
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## Other expenditures:

Materials for certain maintenance projects	6,550	
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Total**		75,743
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\* In this appropriation \$12,000 shall be for care of grounds, snow removal, etc., and the institution's farm shall receive credit for all supplies, work and services rendered even though in excess of \$12,000. No part of this appropriation shall be transferred to any other appropriation or expended for any other purpose.

\*\* Within this amount there is appropriated a sum of \$14,377 for additional personal services and other expenditures, as follows: \$3,828 for 1 additional Painter I, \$3,999 for 1 Carpenter, and \$6,550 for Other expenditures, materials for certain maintenance projects, to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For department of health and welfare, Division of mental health, Laconia state school by striking out the words and figures, "Total for Laconia state school \$1,749,761" and inserting in place thereof, Total for Laconia state school \$1,766,138. Further amend by striking out the words and figures "Net appropriation \$1,736,761" and inserting in place thereof the words and figures, Net appropriation \$1,753,138.

Further amend the appropriation For department of health and welfare: Division of mental health: State hospital, in the subsection Professional care and treatment, by striking out the same and inserting in place thereof, the following:

Professional care and treatment:

Salary of director of psychiatric education and research†	\$12,280
Salaries of two directors of clinical services	24,377
Salary of director of out-patient services	12,200
Salary of director of clinical and surgical services**	13,345
Other personal services:	
Permanent¶	2,647,653
Other	100,000
Total	<hr/> \$2,809,875

Current expenses*	114,000*
Travel	3,500
Equipment	4,200
	<hr/>
Total	2,931,575

† The appropriation for the state hospital includes funds for maintenance for certain positions, one of which is the director of psychiatric education and research. In lieu of maintenance, notwithstanding any other provision of law, the sum of \$2,500 shall be paid to said director, G. Donald Niswander, from any funds appropriated for current expenses within said appropriation for the state hospital.

\*\* Notwithstanding any other provision of law, a position of director of clinical and surgical services is provided herewith.

¶ Five new positions of senior psychiatrist, salary not to exceed \$11,764 each together with maintenance not to exceed \$2,500 each, are hereby authorized under the following provisions. Salaries for said positions shall be found within the appropriations made herein of \$2,647,653 for other personal services: permanent, for professional care and treatment and of \$637,182 for personal services: permanent, for custodial care. Maintenance for said positions shall likewise be found within the appropriations made herein of \$114,000 for current expenses for professional care and treatment and of \$665,000 for current expenses for custodial care. Any funds lapsed under the provisions of RSA 99:4 (supp.) to the salary adjustment fund from permanent personal services for professional care and treatment and from permanent personal services for custodial care, or so much thereof as may be necessary, shall be returned to permanent personal services for professional care and treatment to cover the salaries of the above positions authorized.

\* In this appropriation \$80,000 shall be for drugs.

Amend the bill in the appropriation For department of health and welfare, Division of mental health, State hospital, in the subsection, Maintenance of plant: by striking out said subsection and inserting in place thereof the following:

Maintenance of plant:

Personal services:

Permanent

\$231,542

Other	350	
		<hr/>
Total	\$231,892	
Current expenses	45,000	
Equipment	1,200	
Other expenditures:		
Materials for certain		
maintenance projects	11,400	
		<hr/>
Total***		289,492

\*\*\* Within this amount there is appropriated a sum of \$15,228 to provide for additional personal services and other expenditures, as follows: \$3,828 for 1 additional Painter I, and \$11,400 for Other expenditures, Materials for certain maintenance projects, to permit the institution to accomplish certain maintenance projects deleted from the recommended Capital budget, deferred maintenance.

Further amend the appropriation For department of health and welfare, Division of mental health, State hospital, by striking out the words and figures, "Total for state hospital \$5,238,955" and inserting in place thereof, Total for state hospital \$5,254,183. Further amend by striking out the words and figures "Net appropriation \$5,185,955" and inserting in place thereof, Net appropriation \$5,201,183.

Further amend the appropriation For department of health and welfare, Division of mental health, by striking out the words and figures, "Total for division of mental health 7,094,843" and insertion in place thereof, Total for division of mental health 7,126,448.

Further amend the appropriation For department of health and welfare, by striking out at the end of said appropriation the words and figures, "Total for department of health and welfare \$11,724,490" and inserting in place thereof, Total for department of health and welfare \$11,816,095.

Amend the bill in the appropriation For department of labor, in the subsection Factory inspection, by striking out same and inserting in place thereof the following:

Factory inspection:

Personal services:

Permanent\*\*

\$51,155

Current expenses	1,840	
Travel	8,800	
		<hr/>
Total		61,795

\*\* Within this appropriation there shall be one position of clerk steno. III.

Further amend said appropriation by changing the figures for "Total for department of labor" as follows: 141,063 changed to 146,940; and by changing the figures for "Net appropriation" of said department as follows: 98,563 changed to 104,440.

Amend the bill in the appropriation For resources and economic development, in the subsection Office of Commissioner: by striking out said subsection and inserting in place thereof the following:

Office of commissioner:		
Salary of commissioner	\$13,692	
Other personal services:		
Permanent	196,979	
Other	7,000	
		<hr/>
Total	\$217,671	
Current expenses	40,890*	
Travel	5,500	
Equipment	7,500	
		<hr/>
Total	\$271,561	
Less estimated revenue	15,443	
		<hr/>
Net appropriation		\$256,118

\* In this appropriation \$10,390 is for maintenance of the resources development division and shall not be transferred or used for any other purpose. \$10,800 shall be for insurance and no other purpose.

Further amend the appropriation, For resources and economic development: Division of resources development: subsection Administration: by striking out said subsection and inserting in place thereof the following:

## Division of resources development:

## Administration:

Salary of director	\$11,021
Other personal services:	
Permanent	228,982
Other	35,211*

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Total	\$275,214
Current expenses	43,407†
Travel	21,000
Equipment	16,501

## Other expenditures:

State's share of town training bills**	3,000
State's share of town prevention bills**	2,200

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Total	\$361,322
Less revenue—	
Clarke-McNary law—section 2	80,000‡
Less other revenue and balance	34,293§

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Net appropriation 247,029

\* In this appropriation \$20,000 shall be for the state's share for ten county foresters.

† In this appropriation \$15,443 shall be for services for plant maintenance performed by the office of the commissioner and shall not be transferred or used for any other purpose.

\*\* Any expenses lawfully incurred under the provisions of RSA 224:15, in excess of these amounts shall be paid from funds in the treasury not otherwise appropriated, subject to prior approval by the governor and council.

‡ If the federal grant under Clarke-McNary law, section 2 exceeds this amount, such excess shall be expended for forest fire motor vehicle replacement, forest fire radio equipment, and forest fire prevention.

§ Any excess revenue and balance over this amount shall be available for such further expenditures as the governor and council shall approve.

Further amend the bill in the appropriation For resources and economic development, Division of economic development; in the subsection Administration; by striking out said subsection and inserting in place thereof the following:

Division of economic development:

Administration:

Salary of director	\$11,085
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Other personal services:

Permanent†	184,787
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Other	8,876
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Total	\$204,748
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Current expenses	162,250
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Travel	22,339
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Equipment	1,821
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Other expenditures:

Regional associations*	30,000
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Eastern states exposition	8,000
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Boston office	13,000
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Cleveland office	6,000
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Montreal office	10,500
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New York office	11,500
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Economic growth survey	3,500
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Special promotion, planning and advertising¶	75,000
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Total	\$548,658
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Less revenue	3,320
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Net appropriation	\$545,338
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† In this appropriation funds have been included for two additional positions of industrial agent, one shall be assigned to the three northern counties of Carroll, Coos and Grafton; and one shall be assigned primarily for areas of unemployment.

\* This appropriation shall be administered by the division of economic development for the aid of the regional development associations. Not more than \$5,000 may be allotted by the director to any one regional association whose bounds, form of organization and program shall have first been approved by the director. Any unexpended portion of this appropriation shall

not be transferred to any other state appropriation, but shall lapse.

¶ No expenditure shall be made from this appropriation without prior approval by the governor and council.

Further amend said appropriation for Division of economic development, by striking out at the end thereof, the words and figures "Total for division of economic development 546,052" and inserting in place thereof, Total for division of economic development 547,338.

Note: The position of agricultural promotion assistant, previously carried herein (salary \$5,964), has been transferred to the department of agriculture.

Further amend the bill in the appropriation For resources and economic development; Division of parks: in the subsection Self-supporting parks: by striking out the word and figures "Permanent 309,517" and inserting in place thereof, Permanent \$312,837. Further amend by striking out the word and figures "Other \$200,000" and inserting in place thereof, Other \$196,680.

Further amend the appropriation For resources and economic development: New Hampshire state port authority by striking out the appropriation for said port authority and inserting in place thereof the following:

New Hampshire state port authority:

Personal services:

Permanent	\$11,867
Other	4,000

Total	\$15,867
Current expenses	8,675
Travel	2,000
Equipment	325

Other expenditures:

Reimbursement harbor master expenses	1,800
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Total	28,667
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Further amend the appropriation For resources and economic development: by striking out at the end of said appropriation the words and figures "Total for department of resources and economic development \$1,179,507" and inserting in place thereof, Total for department of resources and economic development \$1,186,292.

Amend the bill in the appropriation For department of safety, subsection Initial plate fund:¶ by inserting after the words and figures Police training school 4,000, a new item:

Child safety council,	
educational services	2,000

Further amend said subsection by striking out the words and figures "Total \$68,454" and inserting in place thereof, Total \$70,454. Further amend by striking out the words and figures "Less estimated revenue 68,454" and inserting in place thereof, Less estimated revenue 70,454.

Amend the bill in the appropriation For bank commissioner: by striking out said appropriation and inserting in place thereof the following:

For bank commissioner:

Administration:

Salary of commissioner	\$12,192
Salary of deputy commissioner	9,715
Salary of assistant commissioner	8,850

Other personal services:

Permanent	143,680*
Other	4,817

Total	\$179,254
Current expenses	24,815
Travel	24,800
Equipment	3,999

Other expenditures:

Oasi and retirement	12,517
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Total	\$245,385
Less revenue†	233,193

Net appropriation

\$12,192



\* In this appropriation \$40,345 shall be for five bank examiners III, provided these positions were filled prior to April 1, 1964. Any of these positions which were not so filled are abolished and the funds appropriated for said positions shall not be used for any other purpose.

† The bank commissioner shall collect in the manner indicated in section 2 of this act, from the institutions, the condition and management of which he is required to examine and supervise under the provisions of RSA 383:9 as the cost of such supervision and examination, a sum equal to the amount of the difference between the total amount appropriated for the bank commissioner's department and the amount designated herein as the salary of the commissioner, for the fiscal year ending June 30, 1965. Any excess collected under the provisions hereof shall be used to reduce the amount required to be collected from the above mentioned institutions in the fiscal year 1966.

Special fund — re small loan licenses

and motor vehicle sales finance licenses:¶

Personal services:

Permanent	\$10,564
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Current expenses	820
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Travel	2,250
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Other expenditures:

Oasi and retirement	751
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Total	<u>\$14,385</u>
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Less revenue	<u>14,385</u>
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Net appropriation	<u>0</u>
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¶ Notwithstanding any law to the contrary, expenditures from this fund shall be subject to budgetary limitations.

Total for bank commissioner	<u><u>\$12,192</u></u>
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Amend the bill in the appropriation For public works and highways: in the subsection Legislative specials, by changing the figures for "Attorney general — for legal services" as follows: 30,515 changed to 60,867; and by changing the figures for "Total" for Legislative specials as follows: 2,542,286 changed to 2,572,638. Further amend said appropriation for public works

and highways by changing the figures for "Total for public works and highways" as follows: 47,467,467 changed to 47,497,819; by changing the figures for "Available from estimated lapses" under "Less estimated revenue and balance" as follows: 983,667 changed to 1,014,019; and by changing the figures for "Total" for Less estimated revenue and balance as follows: 47,467,467 changed to 47,497,819.

Amend section 1 of the bill by striking out at the end of the section the words and figures "Total net appropriation for the fiscal year ending June 30, 1965 \$32,727,700" and inserting in place thereof, Total net appropriation for the fiscal year ending June 30, 1965 \$33,172,165.

Further amend the bill by renumbering section 9 to read 13 and by inserting after section 8 the following new sections:

9 The research analyst to the senate finance committee established by RSA 14:40 may hire assistants as required within the limits of the appropriation and balance available.

10 Amend RSA 14:19-a (supp) as inserted by 1961, 280 by striking out the same and inserting in place thereof the following: 14:19-a Senate Counsel. The senate counsel, who acts as the senate assistant clerk, shall receive a salary of two hundred thirty dollars and seventy-seven cents per week. Said counsel may be employed by the president of the senate beginning the first Monday following the biennial election day as said counsel to assist the senators-elect prior to the next session of the general court. His salary for said period shall be two hundred thirty dollars and seventy-seven cents each week. Said counsel shall be allowed the sum of six hundred fifty dollars for his other expenditures, including clerical assistance, during said period prior to the session. The salaries and expenses provided herein shall be a charge against the legislative appropriation.

11 Notwithstanding any other provision of law, there is hereby established a committee consisting of the governor, one member to be appointed by the president of the senate and one member to be appointed by the speaker of the house, whose duty it shall be to assign rooms on the third floor of the state house.

12 Travel Allowances and Other Expenses. Notwithstanding any other provision of law, a member of the general court,

when engaged in official business on behalf of the legislature other than at Concord, and whether or not the legislature is then in session, shall be reimbursed for travel and expenses incident to such business at the same rates as would be allowed a state employee having his headquarters in the city or town of the residence of such member, provided that such travel be authorized by the president of the senate, with the approval of the chairman of the senate finance committee, or by the speaker of the house with the approval of the chairman of the house appropriations committee. Authority is also granted hereby to the president of the senate with the approval of the chairman of the senate finance committee, and to the speaker of the house with the approval of the chairman of the house appropriations committee, to cause payment of expenses incidental to the operation and business of the legislature while the legislature is in recess, except such expenses as are otherwise by law provided for. Any and all expenditures under this section shall not exceed \$10,000 and shall be chargeable against the legislative appropriation. In the event of a vacancy in the office of president of the senate or of speaker of the house during the recess of the legislature, the chairman of the senate finance committee or the chairman of the house appropriations committee respectively, shall have and exercise the authority conferred upon the president and the speaker by this section.

Arnold T. Clement  
George S. Pappagianis  
Howell F. Shepard

Conferees on the Part of the House

Forrest W. Hodgdon  
Arthur M. Drake  
Paul E. Provost

Conferees on the Part of the Senate

On motion of Mr. Ferguson of Concord, reading of the report was dispensed with.

Mr. Clement of Rochester explained the report.

(discussion ensued)

Messrs. Angus of Claremont and Kimball of Manchester spoke in favor of the report.

The committee of conference report was adopted.

\* \* \*

On motion of Mrs. Taylor of Whitefield the rules of the House were so far suspended as to permit a committee report not previously advertised in the Journal.

HJR 10, providing supplemental appropriation for education of the deaf, Mrs. Taylor of Whitefield for Appropriations. Ought to pass.

(Mr. Goode of Manchester in the Chair)

The House Joint Resolution was ordered to a third reading.

(Speaker in the Chair)

Mr. Pickett of Keene moved that HB 620, relative to citizens job protection, be placed on the Calendar for Tuesday next.

Mr. Maloomian of Somersworth spoke in favor of the motion.

The motion was adopted.

### **Reconsideration**

Mr. Angus of Claremont served notice that today, or some subsequent day, he would move for reconsideration on HB 61, relating to pulmonary disease.

### **Senate Message**

The Senate message announced that the Senate has passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

SB 136, relative to retirement benefits.

### **Introduction of a Senate Bill**

SB 136, relative to retirement benefits was read a first and second time and referred to Executive Departments and Administration.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 579, An act to amend the charters of various savings banks.

SB 95, An act relating to presentment by banks.

SB 99, An act providing that village districts may take land for water works purposes within the towns in which they are established in the same manner as in the laying out of a highway.

SB 128, An act to amend the Portsmouth city charter.

HB 370, An act relative to the purity of foods and drugs.

Natalie M. Potter  
Eleanor L. Marx  
For the Committee

Mr. Pickett of Keene moved that the rules of the House be so far suspended as to dispense with reference to committee and public hearing on SB 136, and that the bill be taken up at the present time.

Mr. Stafford of Laconia spoke against the motion.

Mr. Pickett of Keene withdrew his motion.

Mr. McMeekin of Haverhill moved that the rules of the House be so far suspended as to permit a public hearing on SB 136 and SB 134 next Tuesday.

Motion adopted.

### Senate Message

The Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bills:

HB 545, making appropriations for expenses of certain departments of the state for the year ending June 30, 1964.

HB 546, making appropriations for expenses of certain departments of the state for the year ending June 30, 1965.

\* \* \*

On motion of Mr. Adams of Madbury the rules of the House were so far suspended as to permit a hearing not advertised for two days on SB 130, relative to cost of vaccinating infected animals.

\* \* \*

On motion of Mrs. Martin of Littleton the House adjourned from the morning session:

### Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only, and resolutions by caption only and that when the House adjourns today it be to meet next Tuesday morning at 11:00 A.M.

### Third Readings

The following Senate bills were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 132, providing for the integration of the present non-contributory pension system of the city of Nashua with old age and survivors insurance.

SB 121, relative to the Nashua airport authority.

SB 85, enacting the interstate compact on motor vehicle safety equipment.

SB 79, prohibiting the delivering of articles to prisoners in jails and houses of correction.

SB 22, to provide or retain public access to recreational bodies of water.

The following Senate bills were read a third time, passed, and sent to the Senate for concurrence in the House amendments.

SB 7, increasing the salary of the Hillsborough county attorney.

SB 100, relating to the practice of accountancy.

SB 92, relative to chiroprodists.

The following House bills were read a third time, passed, and sent to the Senate for concurrence:

HB 155, relating to the disposition of fines collected by municipal court.

HB 312, relative to the salary of the justice of the Manchester municipal court.

HB 476, relative to the marketing of eggs.

HB 486, relative to obscene literature.

HB 580, to repeal charters of certain corporations.

HB 582, relative to legislative mileage allowances.

HB 604, relative to the Dover city charter.

HB 607, relating to revisions of supervisory unions and re-assignment of personnel.

HB 626, relative to marine fisheries.

HB 638, relative to relocation of road in Rye.

HB 654, providing for additional appropriations to meet certain contractual deficiencies.

HJR 10, providing supplemental appropriations for education of the deaf.

### Reconsideration

Mr. Newell of Concord served notice that today or some subsequent day he would move that the House reconsider its vote whereby it passed SB 92, relative to chiropodists.

\* \* \*

On motion of Mrs. Legasse of Portsmouth the House adjourned at 5:07 P.M.

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TUESDAY, JUNE 25, 1963

The House met at 11:00 A.M.

### Joint Convention

Prayer was offered as follows, by Guest Chaplain Reverend Newell H. Curtis, Jr., from the First Congregational Church of Rochester:

Let us be in the spirit of prayer:

Gracious God of Love, pour out thy Spirit upon thy people that we may do thy will in this State as thou wouldst have us do. Gathered as we are in this General Court to care for the best interests of our people — and hence to care for thy people — help us to be equal to the tasks for which we have been called.

If we speak with the combined eloquence of men and even of angels so as to stir others like a fanfare of trumpets or the crashing of cymbals, yet fail to have love for our people, we should be nothing but eloquent men.

If we have abilities to foretell the future and have in our minds the wisdom of the past and could with our faith move these granite hills from their places, but fail to have love for our people, we should amount to absolute nothing.

If we give up all that we are and become martyrs to pride in conviction and still fail to gird our actions with love for our people, we should achieve precisely nothing.

Help us, O gracious God of Love, to be slow to lose patience and look for ways to be constructive. Let us not be jealous or boastful; neither let us parade ourselves before others nor cherish inflated ideas of our own importance. Help us to do all things decently and not pursue selfish advantage. Let us become victors over evil and wrong and rejoice with all men when truth prevails.

Help us to know the unending endurance of thy love, the unbending assurance of its truth, the uncompromising quality of its hope.

Assembled as we are to care for the best interests of our people, help us to be equal in love to the tasks for which we have been called.

In Thy Name we pray. Amen.

(adapted in part from I Corinthians 13)

### **Pledge of Allegiance to the Flag**

Mrs. Brown of Sandwich and Mr. Varney of Rochester led the Convention in the Pledge of Allegiance to the Flag.



**House**

Mrs. Hartigan of Rochester was granted leave of absence for the day on account of important business.

Mr. Bevan of Durham was granted leave of absence for the week on account of illness.

Mrs. Grey of Canaan and Mr. Blanchard of Jackson were granted leave of absence for the week on account of important business.

**Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House Joint Resolutions:

HB 465, An act relative to posting warrants for election of school district officers at town meeting.

HB 478, An act relative to the Beaver Brook Flood Control Project.

SB 79, An act prohibiting the delivering of articles to prisoners in jails and houses of correction.

SB 121, An act relative to the Nashua Airport Authority.

HB 505, An act relative to membership of the school board of Tilton and Northfield Union School District.

HB 531, An act relative to unemployment compensation.

HB 595, An act legalizing action relative to zoning at various town meetings.

HB 646, An act legalizing the proceedings relating to the annexation of the Sandwich School District to the Inter-Lakes Cooperative School District.

HJR 35, Joint resolution in favor of Alfred Loranger.

HJR 36, Joint resolution relative to certain lands in the town of Tamworth.

Mrs. Potter of Northumberland  
Mr. York of Concord

**Senate Messages**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HJR 34, in favor of Marcus E. Diffenderfer et al.

**Amendment to HJR 34**

Amend the title of the resolution by striking out the same and inserting in place thereof the following: House Joint Resolution No. 34 in favor of Marcus E. Diffenderfer et al.

Amend the resolution by striking out all after the resolving clause and inserting in place thereof the following: Marcus E. Diffenderfer, Ossipee, \$129.60; Arthur S. Rollins, Alton, \$133.28; Scott F. Eastman, Weare, \$132.00; Arthur McAllister, Barnstead, \$91.56; Samuel Green, Manchester, \$77.60; Joseph P. Healy, Manchester, \$88.00; Greta M. Ainley, Manchester, \$88.00; Edward W. Morris Estate, Manchester, \$85.60; John W. Tobin, Manchester, \$44.00; Thomas F. Sullivan Estate, Manchester, \$43.60; Edward Martel, Manchester, \$44.00; Jas. Petegrew, Manchester, \$44.00; Chas. E. Daniel, Manchester, \$44.00; Gerard DeGrace, Manchester, \$44.00; Alfred A. Bergeron, Manchester, \$43.20; Nick Hart, Manchester, \$40.00; Albert N. Dion, Manchester, \$39.20; Mary R. Ayer, Pittsfield, \$87.20; Jas. F. McGrath, Pittsfield, \$86.40; Geo. T. Gilman, Farmington, \$28.56; Mary E. Donero Estate, Portsmouth, \$34.10; C. Cecil Dame, Portsmouth, \$34.10; Amelia H. Cross, Portsmouth, \$34.10; Chas. W. Carkin, Portsmouth, \$11.99; Julia H. White, Portsmouth, \$21.00; Edw. Ingraham, Portsmouth, \$17.00; Wm. F. Keefe, Portsmouth, \$33.79; Wm. Wardwell, Portsmouth, \$34.10; Wm. Montgomery, Hopkinton, \$48.00; Lloyd H. Stone, Sr., Webster, \$42.00; Conrad E. Snow, Gilmanton, \$96.00; Richard L. Bradley, Thornton, \$55.00; Claude J. Baker, Stewartstown, \$53.50; S. A. Chamberlain, Holderness, \$34.44; Harvey H. Converse, Pittsburg, \$55.00; J. Edw. Bouvier, Swanzey, \$42.40; Kenneth M. Bisbee, Derry, \$18.00; Jas. L. Graham, Canaan, \$55.00; Angeline M. St. Pierre, Rochester, \$77.04; Robert E. Drew, Farmington, \$25.68; Elmer H. Downs Estate, Conway, \$11.00; Marj. B. DeLude,

Unity, \$33.00; David Deans, Jr., Milford, \$16.96; Ernest Coutermarsh, Lebanon, \$21.00; Marie Christiansen, Berlin, \$22.00; Mary S. Brown, Sandwich, \$21.40; Edw. E. Brown, Keene, \$10.00; Albert H. Brown, Strafford, \$16.80; Grover C. Farwell, Brookline, \$22.00; Jos. E. Boivert, Rollinsford, \$13.08; Daniel R. Blanchard, Jackson, \$6.60; Dorothy B. Berry, Barrington, \$17.44; Frank J. Bennett, Keene, \$11.00; Louis S. Ballam, Walpole, \$9.50; Roxie A. Forbes, Marlow, \$34.10; Robert L. Galloway, Sr., Walpole, \$11.00; Bert L. Peaslee Estate, Merrimack, \$14.24; Ralph Sanborn, Hampton Falls, \$22.00; Thos. R. Sheeby, Newfields, \$12.84; Arthur F. Turner, Gilsum, \$31.20; H. Thos. Urie, New Hampton, \$12.24; Israel H. Vadney, Frankestown, \$17.60; Edna B. Weeks, Greenland, \$21.40; Philip S. Willey, Campton, \$11.00; Anne B. Gordon, Jaffrey, \$11.00; Winifred E. Hartigan, Rochester, \$12.24; Chas. P. Hayward, Milford, \$14.24; Jeremiah J. Keating, Keene, \$10.80; Walter Kretowicz, Keene, \$10.10; Albert Littlehale, Durham, \$13.32; Harry N. Marsh, Colebrook, \$82.70; Lovell V. Oakes Estate, Columbia, \$33.00; Louis I. Martel, Manchester, \$28.00.

\* \* \*

On motion of Mr. McAllister of Barnstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 420, extending the appropriation for marriage counseling referral service.

#### Amendment to HB 420

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to marriage counseling referral service.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Marriage Counseling. Amend RSA 167-B:2 (supp) as inserted by 1961, 276:1, by striking out said section and inserting

in place thereof the following: 167-B:2 Voluntary Applications. Any person desiring marriage counseling may apply directly to an approved family service agency or may be referred thereto by an authorized representative of the commissioner of health and welfare, but all such counseling shall be subject to the approval of the commissioner who may promulgate such rules and regulations as he may deem necessary for the administration of the provisions hereof.

2 Family Service. Amend RSA 167-B:3 (supp) as inserted by 1961, 276:1, by striking out said section and inserting in place thereof the following: 167-B:3 Approved Agencies. An approved family service agency within the meaning of this chapter shall be those agencies approved by the commissioner of health and welfare and which are located within the jurisdiction of the superior court making the referral or located within the county in which the applicant for counseling resides.

3 Administration. Amend paragraph (c) of RSA 167-B:4 (supp) as inserted by 1961, 276:1, by striking out said paragraph and inserting in place thereof the following: (c) To pay, in accordance with the terms of this chapter, all invoices presented by participating family service agencies for referrals, but only if such invoices have been submitted in accordance with procedures established by the administering agency.

4 Reimbursement. Amend paragraph (c) of RSA 167-B:5 (supp) as inserted by 1961, 276:1, by striking out said paragraph and inserting in place thereof the following: (c) no reimbursement shall be made unless the person consulting a referral agency was referred by the court or approved by the commissioner, as provided herein, and no reimbursement shall be made after four consultations.

5 Extension of Appropriation. From the funds appropriated by 1961, 276:2 to be expended for the purposes of RSA 167-B, any balance existing as of December 31, 1964 shall be a continuing appropriation and shall not lapse provided that this continuing appropriation shall not exceed five thousand dollars.

6 Takes Effect. This act shall take effect upon its passage.

\* \* \*

On motion of Mr. Goode of Manchester reading of the amendment was dispensed with.

Mr. Goode explained the amendment.

On motion of Mr. Goode of Manchester the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 399, relative to salary of the justices of Rochester municipal court.

#### **Amendment to HB 399**

Amend said bill by striking out section 2 and inserting in place thereof the following:

2 Special Justice. Amend RSA 502 by inserting after section 8 the following new section: 502:8-a Rochester. The special justice of the municipal court of the city of Rochester shall be paid from the treasury of said city, three hundred dollars for each year that he shall serve in said capacity, which shall be in lieu of any other compensation or fees, to be paid by said city quarterly.

\* \* \*

On motion of Mr. Marsan of Rochester the House concurred in the Senate amendment.

#### **Committee Reports**

HB 653, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, Mr. Ring of Hampton for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 653**

Amend the first paragraph of section 1 by striking out the words "seven million six hundred ninety five thousand two hundred forty dollars" in the first and second lines and inserting in place thereof the words, eight million three hundred forty nine thousand six hundred fifty dollars, so that said paragraph as amended shall read as follows:

1 Appropriation. The sum of eight million three hundred forty nine thousand six hundred fifty dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Amend paragraph I of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

I. Adjutant general:

Repairs to Manchester armory	150,000	
Grading and paving, Hillsborough armory	23,500	\$173,500

Amend paragraph IV of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

IV. Department of health and welfare:

Laconia state school:

New dormitory	\$300,000	
Sidewalk construction and road improvement	25,000	
Laundry equipment (2 washers)	22,000	
Heating improvements	15,000	
Maintenance building	40,000	
	<hr/>	
Total		402,000*

State sanatorium:

Boiler conversion	37,100
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State hospital:

New switchboard —	
Twitchell building	8,500
Electrical distribution system	18,920
White farm barn	35,000
Silo replacement	8,000
Duplex furnishings	6,319

Total	<hr/>	76,739
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Total	<hr/>	515,839
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\* Any balance remaining in this appropriation may be transferred to complete the infirmary in Murphy Building, with governor and council approval.

Amend paragraph VI of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

VI. Liquor commission:

Warehouse	\$1,911,000	
Stores	150,000	
Acquisition of land	50,000	
	<hr/>	
Total		2,111,000

Amend paragraph IX of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

IX. Water resources:

Pittsfield dam	34,220	
Deering dam	5,180	
Mirror lake dam	12,500	
Beaver Brook dam	150,000	
Salmon Falls River dams	20,000	
Soil conservation, flood prevention:		
Baker river sites	82,472	
Souhegan river sites	14,600	
	<hr/>	
Total		318,972

Amend section 1 of said bill by inserting after paragraph X the following new paragraph:

XI. Aeronautics Commission

Development of airports and navigational aids	400,000*
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Amend the total of section 1 to be \$8,349,650

\* This appropriation to be expended as needed by the aeronautics commission, subject to the approval of the governor and council, (1) to develop and maintain a five year master plan for all existing and projected airports within the state, showing development that can reasonably be expected to be required by each airport for the succeeding five years and the estimated cost of each phase of the development of each airport (2) for equal matching of funds expended by a town or city or legally constituted airport authority to improve the facilities of any area

or general aviation airport which is owned and operated by a town, city or legally constituted airport authority, provided that such expenditure has been first approved by the aeronautics commission and the airport whose facilities are being improved meets and conforms to all criteria as established by the aeronautics commission, provided further that the term facilities for the purposes of this chapter shall include but not be limited to runways, taxi ways, surveys, ramps, access roads, or fences and shall not include buildings, hangars or any other type of construction or improvement which is not included in the federal airport administration criteria for construction of airport facilities or navigational aids. The aeronautics commission shall make a report to each biennial meeting of the general court of the development of all airports in the state.

Amend paragraph II of section 4 of said bill by striking out the words "but only in the event of an unforeseen emergency need" in the third and fourth lines and inserting in place thereof the words, provided such transfer is for the public good or is necessary to keep within the funds appropriated, so that said paragraph as amended shall read as follows:

II. To transfer funds from any project named in section 1 hereof to any other project in said section, provided such transfer is for the public good or is necessary to keep within the funds appropriated.

Amend section 7 of said bill by striking out the words and figures "seven million six hundred ninety five thousand two hundred forty dollars (\$7,695,240) in the fourth and fifth lines and inserting in place thereof the following, eight million three hundred forty nine thousand six hundred fifty dollars (\$8,349,650), so that said section as amended shall read as follows:

7 Borrowing Power. To provide funds for the appropriations made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of eight million three hundred forty nine thousand six hundred fifty dollars (\$8,349,650); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of four million three hundred thirty four thousand eight hundred eleven dollars (\$4,334,811); and to provide funds for the appropriations made in section 3 hereof not exceeding the sum of three hundred forty nine thousand seven hundred fifty dol-



lars (\$349.750); and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds and notes shall be paid as follows: bonds and notes issued to provide funds for the appropriations made in section 1 shall be paid within a period of twenty years; bonds and notes issued to provide funds for the appropriations made in section 2 shall be paid within a period of thirty years; and bonds or notes issued to provide funds for appropriations made in section 3 shall be paid within a period of ten years. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend section 11 of said bill by striking out the words "seven million six hundred ninety five thousand two hundred forty" in the seventh and eighth lines and inserting in place thereof the words, eight million three hundred forty nine thousand six hundred fifty, so that said section as amended shall read as follows:

11 Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on short term loans exceed the following sums: (1) not exceeding the sum of eight million three hundred forty nine thousand six hundred fifty dollars for borrowing to provide funds for the purposes of section 1; (2) not exceeding the sum of four million three hundred thirty four thousand eight hundred eleven dollars for borrowing to provide funds for the purposes of section 2; and (3) not exceeding the sum of three hundred forty nine thousand seven hundred fifty dollars for borrowing to provide funds for the purposes of section 3.

\* \* \*

(discussion ensued)

Mr. Feldman of Manchester spoke against the amendment.

Mr. Goode of Manchester spoke in favor of the amendment.

(discussion ensued)

Mr. Geisel of Manchester spoke against the amendment.

Mr. Goode of Manchester offered the following amendment to the amendment and moved its adoption:

### **Amendment to Amendment to HB 653**

Amend the amendment to paragraph IV of section 1 of said bill by striking out the footnote with respect to the appropriation for the Laconia State School and inserting in place thereof the following: "With the approval of the Governor and Council, an amount not to exceed \$45,000.00 of this appropriation may be transferred to complete the infirmary in the Murphy Building.

\* \* \*

The Clerk read the amendment in full.

Mr. Goode explained the amendment to the amendment.

The amendment to the amendment was adopted.

The amendment as amended was adopted and the bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the Rules of the House were so far suspended as to place HB 653 on third reading and final passage by title only at the present time.

### **Third Reading**

HB 653, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, was read a third time, passed, and sent to the Senate for concurrence.

### **Reports (cont.)**

HB 511, increasing fees for fish and game licenses, Mr. Vashaw of Berlin for Fish and Game. Inexpedient to legislate.

Mr. Merrifield of Sunapee moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate.

Mr. London of New London explained the action of the committee.

Mr. Kimball of Manchester spoke against the motion.

(discussion ensued)

Mr. Merrill of Hampton Falls spoke in favor of the motion.

Mr. Goodhue of Gilford spoke in favor of the motion.

Mrs. St. Pierre of Rochester requested a division.

The vote being manifestly in the negative the motion was lost.

The resolution of the committee was adopted.

### Senate Message

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964.

### Amendment to HB 545

Amend the footnote relative to professional care and treatment at the state hospital which is indicated by an + by striking out the figure "637,182" and inserting in place thereof the figure, 629,057.

Amend the total for the division of mental health by striking out the figure "7,101,995" and inserting in place thereof the figure, 7,061,995.

Amend the total for division of resources development by striking out the figure "243,267" and inserting in place thereof the figure 242,267.

Amend the footnote at the end of the appropriation for the state board of education by striking out the words "helping teacher" in the seventeenth line and inserting in place thereof the words, teacher consultant.

\* \* \*

On motion of Mr. Peterson of Peterborough the House concurred in the Senate amendment under Joint Rule 6.

**Committee Reports (cont.)**

SB 71, relative to filling vacancies in the office of United States Senator, Mr. Chandler of Portsmouth for Judiciary. Ought to pass.

Mr. Capistran of Manchester moved that SB 71 be indefinitely postponed and spoke in favor of the motion.

Mr. Totman of Alstead spoke against the motion.

Mr. Coutermarsh of Lebanon spoke in favor of the motion.

Messrs. Stafford of Laconia, Kimball of Manchester, Stevenson of Bethlehem and Taft of Greenville spoke against the motion.

The motion to indefinitely postpone did not prevail.

On a *viva voce* vote the Yeas appeared to have it.

Mr. Cavalieri of Portsmouth requested a division but subsequently withdrew his request.

SB 71 was ordered to a third reading.

HB 387, relative to conflict of interest in the sale of liquor and alcoholic beverages, Mr. Pryor of Ashland for the Majority of the committee. Refer to Legislative Council. Minority: Ought to pass with amendment. Messrs. Capistran of Manchester, Spanos of Newport, Healy of Manchester, Moran of Manchester, and Miss Normandin of Laconia.

**Minority Amendment HB 387**

Amend RSA 95-A:2, as inserted by section 1 of the bill, by adding at the end of said section the words, Ownership of stock consisting of not more than five percent of the outstanding shares in any publicly owned corporation or investment trust shall not constitute a person a stockholder within the meaning of this section but in determining whether a person owns more than five percent of such shares he shall be deemed to own the shares owned by himself, his spouse and his children. Sales made to the public or to licensees by persons authorized to act under Title XIII of RSA shall be excluded from the prohibition of this chapter, so that said section as amended shall read as follows: 95-A:2 Definitions. For the purpose of this chapter the term "state agency" shall mean any state de-

partment, or any division, board or commission of any state department, and the term "officer or employee" shall include all persons who are employed by or are members of the designated agency whether or not they are compensated for such employment or membership. A person shall be deemed to be associated directly or indirectly within the prohibition of this chapter if he is a member of a partnership or an officer, stockholder or director of a corporation which is engaged in the prohibited activity, or if his spouse, parents, children, brothers or sisters are so engaged. Ownership of stock consisting of not more than five percent of the outstanding shares in any publicly owned corporation or investment trust shall not constitute a person a stockholder within the meaning of this section but in determining whether a person owns more than five percent of such shares he shall be deemed to own the shares owned by himself, his spouse, and his children. Sales made to the public or to licensees by persons authorized to act under Title XIII of RSA shall be excluded from the prohibition of this chapter.

\* \* \*

Mr. Spanos of Newport moved that the words, Ought to pass with amendment, be substituted for the words, Refer to Legislative Council, and spoke in favor of the motion.

Mr. Totman of Alstead spoke against the motion.

(Mr. Stafford of Laconia in the Chair)

Mr. Upton of Concord spoke against the motion.

### Recess

### After Recess

(Speaker in the Chair)

The question being on the motion to substitute the words, Ought to pass with amendment, for the words, Refer to the Legislative Council.

Mr. Moran of Manchester spoke in favor of the motion.

(discussion ensued)

Messrs. Johnson of Hanover and Peterson of Peterborough spoke against the motion.

(discussion ensued)

Mr. Stafford of Laconia spoke against the motion.

Mr. Pappagianis of Nashua spoke in favor of the motion.

(discussion ensued)

Mr. Taft of Greenville moved that HB 387 be indefinitely postponed and spoke in favor of the motion.

Mr. Pappagianis of Nashua spoke against the motion.

Mr. Dupont of Manchester moved the previous question and it was sufficiently seconded.

Mr. Dupont withdrew his motion.

The question being on the motion to Indefinitely Postpone HB 378.

The Yeas appeared to have it.

Mr. Pappagianis of Nashua requested the Yeas and Nays and the roll was called as follows:

Yeas — 196

HILLSBOROUGH COUNTY: Bragdon, Edwards, Van Loan, Wiggin, Farwell, Whitney, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Legallee, Ainley, Feldman, Lang, Pettigrew, Goode, Kimball of Manchester, Clancy of Manchester, ward 6, Dupont, Boettcher, Belanger, Lesmerises, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cooper, Underhill, Todd, Garland, Peterson, Rich, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Turner, Stearns, Pollock, Heald of Keene, Bennett of Keene, Faulkner, Pickett, Oliver, Forbes, Bennett of Richmond, Allen of Rindge, Hackler, Ballam, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Angus, Campbell, Nahil, Guest, Weber, Marx, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Plumer, Willey, Nettleton, Hayward of Hanover, Johnson of Hanover, McMeekin, Hampson, Adams, Lewis, Whipple, Brummer, Allard of Littleton, Kelley of Littleton, Martin of

Littleton, Park, Cushman, Bell, Smith of Plymouth, Anderson of Warren, Bean, Berringer.

COOS COUNTY: Connolly, Vashaw, Bouchard, Marsh, Nash, Graham, Keough, Sherman, Shute, Fogg, Arsenault, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Underwood, Cummings, Watts, Scott, Eastman of Exeter, Wheeler, Weeks, Spollett, Shindledecker, Merrill, Clark of Kingston, McDonough, Cheney, Carter, Pinkham, Palmer of Plaistow, Schwaner, Murch, Stafford of Portsmouth, Dame, Osborne, Chandler, White of Portsmouth, Frink, Legasse, Langford, Greene of Rye, Young, Canty, Grant, Morrill, Morrison, Peever, Stickney, Felch, Barker.

STRAFFORD COUNTY: Berry, Richardson, Crouch, Littlehale, Drew, Canney, Adams of Madbury, Dawson, Moulton, Rolfe, Marsan, Chase, Johnson of Rochester, Varney, Bennett of Strafford.

BELKNAP COUNTY: McAllister, Goodhue, Uhlenberg, LaCaillade, Head, Hayner, O'Shan, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hill, Roberts, Taylor of Effingham, Blake, Diffenderfer, Brown of Sandwich, Lamprey of Tuftonboro, Chamberlain of Wolfeboro, Clafin.

MERRIMACK COUNTY: Hanson, Moore, Asby, Hutchinson, Upton, Henry, Dame of Concord, Bingham, Smith of Concord, MacDonald, Sanders, Gove, McKay, Stevens, Kelley of Franklin, Reddy, London, Thompson of Northfield, Tarrant, Bigelow, Thompson of Wilmot.

#### Nays — 137

HILLSBOROUGH COUNTY: Barnard, Bartlett, Eaton, Brocklebank, Bednar, Gallagher, Provencal, Conover, Bruton, Dion of Manchester, Hayes, Cullity, Mahonly of Manchester, ward 4, McDermott, Clancy of Manchester, ward 5, Manning, Walsh, Casey, Doherty, Healy, O'Conner, Lafrance, Leclerc, Martel, Tessier, Bernier, Champagne, Delisle, Moran, Wade, O'Gara, Bergeron, Kearns, Hurley, Capistran, Levasseur, Allard of Manchester, Rousseau, Gamache, Grady, Tremblay of Man-

chester, Vachon, Dionne of Nashua, ward 2, Belcourt, Sullivan, Maynard, Pappagianis, Dionne of Nashua, ward 6, Marcoux, Boisvert, Mason, Bissonnette, Bouley, Latour, Lavallee, Sablowski, Desmarais of Nashua, Dumais, Peabody, Eastman of Weare.

CHESHIRE COUNTY: Watkinson, Cournoyer, Keating, Pratt, Shea of Keene, ward 2, Belletete, Russell, Bouvier, Abare.

SULLIVAN COUNTY: Cann, Gaffney, Barrows, Bailey, Downing, Spanos.

GRAFTON COUNTY: Bowles, Morse, Low, Coutermarsh, Demers.

COOS COUNTY: Dubey, Fortier, Roy, Desilets, Sheridan, Dumont of Berlin, Fontaine, Gagnon, Bushey, Stinson.

ROCKINGHAM COUNTY: Kimball of Derry, White of Derry, Wylie, Palmer of Kensington, Sewall, Twardus, Keefe, McEachern, Sadler, Cavalieri, Coussoule, Herbert.

STRAFFORD COUNTY: Blanchette, Nelson, Grimes, Hemon, Colbath, Clark of Lee, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Maloomian, Cormier, Hebert, Vincent.

BELKNAP COUNTY: Bolduc, Matheson, Normandin.

CARROLL COUNTY: Remick.

MERRIMACK COUNTY: Guilbeault, Phelps, Fairbanks, LaFlamme, York, Hancock, Peaslee, Ferguson of Concord, Newell of Concord, Welch, Gilman, Charland, Dempsey, Doon, Lafond, Brown of Loudon, Robinson,

and the bill was indefinitely postponed.

HB 620, relative to citizens job protection, Mr. Angus of Claremont for Labor. Majority: Ought to pass.

HB 620, Minority, Refer to Legislative Council, Mr. Ferguson of Concord.

Mr. Ferguson of Concord moved that the words, refer to the Legislative Council, be substituted for the words, Ought to pass, and spoke in favor of the motion.

(discussion ensued)

Mr. Dupont of Manchester spoke against the motion.

(Mr. McMeekin of Haverhill in the Chair)



Mr. Edwards of Antrim spoke in favor of the motion.

Messrs. Hancock and Welch of Concord spoke against the motion.

Mr. Urie of New Hampton spoke in favor of the motion.

(Speaker in the Chair)

Mr. Sheridan of Berlin and Mr. Pickett of Keene spoke against the motion.

Mr. Ferguson of Concord spoke a second time in favor of the motion.

On a *viva voce* vote the motion was not adopted.

Mr. Edwards of Antrim demanded the Yeas and Nays and subsequently withdrew his request.

The question now being on the report, Ought to pass.

Mr. Kimball of Manchester moved that HB 620 be indefinitely postponed.

The motion was not adopted and the bill was ordered to a third reading.

HB 440, relating to the purchase of sand or gravel from the bed of public waters, Mrs. Hampson of Hebron for Resources, Recreation and Development. Refer to Legislative Council or Legislative Services Commission.

The resolution was adopted.

### Committee of Conference Report

The Conference Committee to which was referred House Bill No. 180, relative to the incorporation of trust companies, having considered the same, recommend that the house recede from its position of nonconcurrence in the adoption of the senate amendment and concur in the adoption of the senate amendment.

Mr. Reddy of Hopkinton

Mr. Hambleton of Goffstown

Mr. Pratt of Keene

Conferees on the part of the House

Senator Howard

Senator Paquette

Conferees on the part of the Senate

The report was adopted.

The Committee of Conference, to whom was referred Senate Bill 37, An Act relative to recounts, having considered the same, report the same with the following recommendation: that the Senate recede from its position of non-concurrence and concur with the House amendment.

Conferees on the Part of the House:

Mr. Roger Smith of Concord

Mr. Marshall Cobleigh of Nashua

Mr. Walter Morse of Enfield

Conferees of the Part of the Senate:

Senator Robert S. Monahan of Hanover

Senator Louis I. Martel of Manchester

The report was adopted.

### **Senate Messages**

The Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 133, providing for an access road to Willard Basin ski development in Lancaster.

SB 131, relative to the use of transporter plates.

SB 65, providing for a hearing after suspension of a liquor license or beverage permit.

SB 52, relative to firemen's retirement system.

SB 137, relating to the John M. Hunt Home.

SB 138, relating to the Mary E. Hunt Home for Aged Women.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 133, providing for an access road to Willard Basin ski development in Lancaster, to the Joint committee on Public Works and Appropriations.

SB 131, relative to the use of transporter plates, to Transportation.

On motion of Mr. Claflin of Wolfeboro the Rules of the House were so far suspended as to permit a public hearing on SB 131 without being advertised in the Journal for two days.

### **Senate Bills Read and Referred**

SB 65, providing for a hearing after suspension of a liquor license or beverage permit, to Liquor Laws.

SB 52, relative to firemen's retirement system, to Executive Departments and Administration.

SB 137, relating to the John M. Hunt Home, to Executive Departments and Administration.

SB 138, relating to the Mary E. Hunt Home for Aged Women, to Executive Departments and Administration.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 337, relating to hours of labor, one day rest in seven, and payment of wages.

### **Amendment to HB 337**

Amend RSA 275:43 as inserted by section 3 of the bill by striking out the same and inserting in place thereof the following: 275:43 Weekly. I. Every employer shall pay all wages due to his employees who work by the hour or day within eight days including Sunday after expiration of the week in which the work is performed, on regular paydays designated in advance by the employer, in lawful money of the United States or with checks on banks convenient to the place of employment where suitable arrangements are made for the cashing of such checks by employees for the full amount of the wages due.

II. The commissioner may, upon application showing good and sufficient reasons, permit an employer as described in section 1 to establish regular pay days less frequently than weekly provided that the worker shall be paid in full at least once each calendar month on a regularly established schedule.

Further amend the bill by striking out subsections II and IV of RSA 275:44 as inserted by section 3 of the bill and inserting in place thereof the following: II. Whenever an employee quits or resigns, the employer shall pay the employee's wages no later than the next regular payday, as provided under section 43 of this act, either through the regular pay channels or by mail if requested by the employee, except that if the employee gives at least one pay period's notice of intention to quit the employer shall pay all wages earned by the employee within seventy-two hours.

IV. If an employer willfully and without good cause fails to pay an employee wages as required under subsections I, II or III of this section, such employer shall be additionally liable to the employee for liquidated damages in the amount of ten per cent of the unpaid wages for each day except Sunday and legal holidays upon which such failure continues after the day upon which payment is required or in an amount equal to the unpaid wages, whichever is smaller; except that, for the purpose of such liquidated damages, such failure shall not be deemed to continue after the date of filing of a petition in bankruptcy with respect to the employer if he is adjudicated bankrupt upon such petition.

Further amend the bill by striking out subsection I of RSA 275:47 as inserted by section 3 of the bill and inserting in place thereof the following:

I. In the event of the death of an employee wages due him by an employer not in excess of three hundred dollars may upon proper demand be paid, in the absence of actual notice of the pendency of probate proceedings, without requiring letters testamentary or of administration in the following order of preference to decedents: In accordance with the laws of intestacy for the state of New Hampshire.

Further amend the bill by striking out subsection I of RSA 275:49 as inserted by section 3 of the bill and inserting in place thereof the following:

I. Notify the employees, at the time of hiring of the rate of pay, and of the day and place of payment.

\* \* \*

On motion of Mr. Angus of Claremont, reading of the amendment was dispensed with.

Mr. Angus explained the amendment.

On motion of Mr. Angus the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 434, relating to minimum wages of employees in public works.

### **Amendment to HB 434**

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 **Payments Included in Establishing Wage Rates.** Amend RSA 280:1 by adding at the end thereof the following sentence: Payments by employers to health and welfare plans and pension plans under collective bargaining agreements or understandings between organized labor and employers shall be included for the purpose of establishing minimum wage rates as herein prescribed, so that said section as amended shall read as follows: 280:1 Regulation by the Commissioner of Labor. The rate per hour of the wages paid to mechanics, teamsters, chauffeurs, and laborers employed in the construction of public works by the state of New Hampshire, or by persons contracting or subcontracting for such work shall not be less than the rate or rates of wages to be determined by the commissioner of labor as hereinafter provided; provided, that the wages paid to mechanics, teamsters, chauffeurs, and laborers employed on said works shall not be less than the wages paid to said employees in the municipal service of the town or towns where said works are being constructed; provided, further, that where the same public work is to be constructed in two or more towns, the wages paid to said employees shall not be less than the wages paid to said employees in the municipal service of the town paying the highest rate; provided, further, that if, in any of the towns where the works are to be constructed, a wage rate or wage rates have been established in certain trades and occupations by collective agreements or understandings between organized

labor and employers, the rate or rates to be paid on said works shall not be less than the rates so established; provided, further, that in towns where no such rate or rates have been established, the wages paid to said employees on public works, shall not be less than the wages paid in said towns to the employees in the same trades and occupations by private employers engaged in the construction industry. This section shall also apply to regular employees of the state, when such employees are employed in the construction, addition to, or alteration of said works for which special appropriations are provided. Payments by employers to health and welfare plans and pension plans under collective bargaining agreements or understandings between organized labor and employers shall be included for the purpose of establishing minimum wage rates as herein prescribed.

\* \* \*

(Mr. Upton of Concord in the Chair)

On motion of Mr. Angus of Claremont reading of the amendment was dispensed with.

Mr. Angus explained the amendment.

On motion of Mr. Angus of Claremont the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 302, relative to the state board of conciliation and arbitration.

### Amendment to **HB 302**

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Compensation. Amend RSA 273:24 (supp) as amended by 1955, 323:8, by striking out the word "sixteen" in the second line and inserting in place thereof the word, fifty, so that said section as amended shall read as follows: 273:24 Compensation of Arbitrators. Such arbitrators shall receive fifty dollars a day for each day actually engaged in such arbitration and their necessary traveling expenses, to be paid upon vouchers signed by the commissioner, with the approval of the governor, out

of the funds appropriated for the maintenance of the department of labor.

\* \* \*

The Clerk read the amendment.

On motion of Mr. Angus of Claremont the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 542, relative to settlements in behalf of minors.

#### **Amendment to HB 542**

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Minors. In any suit on behalf of an infant or against an infant or in which an infant is interested, the court may make all necessary orders for protecting the interests of the infant and may require the guardian ad litem, parent or next friend to give bond to truly account for all money received on behalf of the infant whether through settlement, judgment, decree or other order.

\* \* \*

Mr. Totman of Alstead moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Upton of Concord, Johnson of Hanover and Moran of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 100, relating to the practice of accountancy.

**Communication**

Bishop's House  
657 River Road  
Manchester, New Hampshire

June 24, 1963

Honorable Stuart Lamprey  
Speaker of the House  
State House  
Concord, New Hampshire

Dear Mr. Lamprey:

The magnificent expression of sympathy by people of all Faiths on the occasion of the death of Pope John XXIII was a source of deep consolation to us. May I express my deepest thanks to all who shared our sorrow and particularly to you and the members of the House of Representatives who were represented at the Pontifical Mass in St. Joseph Cathedral.

With appreciation and cordial good wishes, I am

Sincerely yours,

Ernest J. Primeau  
Bishop of Manchester

**Resolutions**

Messrs. Bell and Smith of Plymouth, Prior of Ashland, Bean of Waterville and Willey of Campton offered the following Resolutions for the Grafton County Delegation:

*Whereas*, Stanley A. Chamberlain, former Representative from Holderness, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court of New Hampshire, hereby pay tribute to our former Fellow Member for his services to his town and state, and be it further

*Resolved*, That we extend to his family our heartfelt sympathy in its bereavement, and be it further

*Resolved*, That a copy of these Resolutions be sent to his son, Ernest L. Chamberlain.



The resolutions were unanimously adopted.

\* \* \*

On motion of Mr. Adams of Madbury the rules of the House were so far suspended as to permit a public hearing on SB 130 without having been advertised in the Journal for two days.

### Reconsideration

Mr. Johnson of Hanover served notice that today, or some subsequent day, he would move that the House reconsider its vote whereby it passed SB 1, relative to form of ballots. The Chair announced that Mr. Johnson served notice of reconsideration before 11:30 this morning.

\* \* \*

Mr. Newell of Concord withdrew his notice of reconsideration on SB 92, relating to chiroprodists.

Mr. Angus of Claremont withdrew his notice of reconsideration on HB 61, relating to pulmonary disease.

### Announcements

The Chair announced that today was the 55th wedding anniversary of Mr. and Mrs. LaFrance of Manchester.

The Chair also announced that today is the 46th wedding anniversary of Mr. and Mrs. Pollock of Keene.

5 minute Recess

(Speaker in the Chair)

On motion of Mr. O'Neil of Chesterfield the rules of the House were so far suspended as to allow the introduction of a committee report not previously advertised in the Journal.

HB 569, relative to aid for emotionally disturbed children, Mrs. Demers of Lebanon for Education. Ought to pass.

The bill was referred to Appropriations under the Rules.

\* \* \*

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to place SB 71, relative to filling vacancies in the office of United States Senator, on third reading and final passage by title only at the present time.

SB 71, relative to filling vacancies in the office of United States Senator, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit HB 61 to be placed on third reading and final passage by title only at the present time.

HB 61, relating to pulmonary disease, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit HB 620 to be placed on third reading and final passage by title only at the present time.

HB 620, relative to citizens job protection, was read a third time, passed, and sent to the Senate for concurrence.

### **Reconsideration**

Mr. Welch of Concord, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 620, and spoke against the motion.

The motion was not adopted.

### **Senate Message**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 556, relative to the incorporation of the Upper Valley Development Council, Inc.

Amend said bill by inserting after section 6 the following new section:

7 Dissolution. There shall be no corporate stock and no part of the net earnings of the corporation, if any, shall inure the benefit of any member city, town or village, director or officer of the corporation or any private individual. No director, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution, the assets upon dissolution to be returned

to the member cities, towns and villages on the basis of their contributions to the corporation.

Further amend said bill by renumbering section 7 to read section 8.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

### Committee of Conference Report

The Committee of Conference, to whom was referred HB 207, providing immunity from liability in emergency cases, having considered the same, report the same with the recommendation that the House recede from its position in adopting its amendment, that the Senate recede from its position in adopting its amendment, and that the following amendment be adopted.

Amend section 1 of the bill by inserting after the word "emergency" in the seventh line the words, on or along any public highway, so that said section as amended shall read as follows:

1 Physicians and Surgeons. Amend RSA 329 by inserting after section 24 the following new section: 329:25 Emergency Treatment. No person, authorized to practice medicine under this chapter or under the laws of any other state, who, in good faith, renders emergency care at the scene of an emergency on or along any public highway without making any charge therefor, shall be liable for any civil damages as a result of acts or omissions by such person in rendering such emergency care, or as a result of any act or failure to act to provide or arrange for further medical treatment or care.

Mrs. Frizzell of Charlestown  
Mr. Johnson of Hanover  
Mr. Moran of Manchester  
Conferees on the part of the House

Senator Rainie  
Senator Martel  
Conferees on the part of the Senate

The question is on the adoption of the committee of conference report.

Mr. Healy of Manchester spoke against the adoption of the report.

Messrs. Johnson of Hanover, Peterson of Peterborough, Taft of Greenville and Mrs. Frizzell of Charlestown spoke in favor of adoption of the report.

Mr. Healy of Manchester spoke a second time against the adoption of the report.

Mr. Bednar of Hudson spoke in favor of adopting the report.

(discussion ensued)

The committee of conference report was adopted.

\* \* \*

On motion of Mr. Peterson of Peterborough the rules of the House were so far suspended as to permit the introduction of a committee report on HB 500 not previously advertised in the Journal.

HB 500, relative to real estate brokers, Mr. Shepard of Londonderry for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Peterson of Peterborough the rules of the House were so far suspended as to permit third reading and final passage on HB 500 at the present time by title only.

HB 500, relative to real estate brokers, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Diffenderfer of Ossipee the rules of the House were so far suspended as to permit the introduction of a committee report on SB 96 not previously advertised in the Journal.

SB 96, relative to tax abatements, Mr. Geisel of Manchester for Ways and Means. Ought to pass with amendment.

### **Amendment to SB 96**

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1 Power to Abate. Amend RSA 77:25 by striking out the same and inserting in place thereof the following: 77:25 Ap-

plication for Abatement. Any person aggrieved by the assessment of any tax under this chapter may apply in writing to the commission for an abatement within sixty days after notice of the tax. The commission, upon written application, may abate all or a portion of any tax assessed under this chapter in the case of undue hardship or when, in the judgment of the commission, such abatement should be made.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Diffenderfer the rules of the House were so far suspended as to place SB 96 on third reading and final passage at the present time by title only.

SB 96, relative to tax abatements, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

On motion of Mr. Brummer of Lisbon the rules of the House were so far suspended as to permit the introduction of a committee report on HB 650 not previously advertised in the Journal.

HB 650, relative to the Lisbon village district, Mr. Brummer of Lisbon for Municipal and County Government. Ought to pass with amendment.

### Amendment to HB 650

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2 Sewers. Upon and after the dissolution of the Lisbon village district as provided in this chapter, the provisions of RSA 252:4-18, inclusive, shall be in effect in said town, and the selectmen shall, consistently with said provisions, assess upon the persons whose drains enter any main drains or common sewers or treatment facilities, or whose lands receive any special benefit therefrom in any way, their just share of the expense of constructing and maintaining the same and shall otherwise comply with and enforce the provisions of said sections.

\* \* \*

The Clerk read the amendment.

At the request of Mrs. Frizzell of Charlestown, Mr. Brummer of Lisbon explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Claffin of Lisbon the rules of the House were so far suspended as to permit the introduction of a committee report on SB 14 not previously advertised in the Journal.

SB 14, relative to revocation and suspension of licenses, Mr. Claffin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

On motion of Mrs. Legasse of Portsmouth the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of bills by title only and when the House adjourns today it be to meet tomorrow at 11:00 A.M.

\* \* \*

By unanimous consent of the House the Chair placed committee reports on the following bills on the calendar for tomorrow:

SB 113, SB 122, SB 127, HB 521, HB 487, HB 621.

\* \* \*

SB 14, relative to revocation and suspension of licenses, was read a third time, passed, and sent to the Secretary of State to be engrossed.

HB 650, relative to the Lisbon village district, was read a third time, passed, and sent to the Senate for concurrence.

\* \* \*

On motion of Mrs. Hayward of Hanover the House adjourned at 5:31 P.M.

WEDNESDAY, JUNE 26, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered as follows by Guest Chaplain, Reverend Ralph Ferrioli from the Church of the Nazarene of Concord:

We humble our hearts before thee Almighty Father to seek thy guidance, thy wisdom, and thy blessing for this day.

The mounting critical situations of the world demands immediate and lucid solutions, and yet we are aware of our inadequacy to properly solve these problems. Thou hast said "the foolishness of God is wiser than men; and the weakness of God is stronger than men." Thus, Our Father, we come to thee for illumination and direction to execute the right decisions in all that we do. Thou hast made us the highest of creation, for indeed we are "made in thy image."

The expediency of legislation for the people in our State of New Hampshire depends upon these servants who have once again assembled to enact their given responsibilities. Our faith and confidence are in those who have been selected and set apart in dedication, and in the fear of God, to discharge their responsibility with wisdom and sincerity. May the love of God prevail in every heart and may we all draw nigh unto Thee, for Thou hast the words and power of everlasting life.

Bless the joint convention, every faithful administrator, and may the Father smile His approval and benediction upon that which will be done this day.

To the glory of the Father we pray and in the name of Jesus. Amen.

### **Pledge of Allegiance to the Flag**

Mr. Bouchard of Berlin led the Convention in the Pledge of Allegiance to the Flag.

### **Memorial Service for Departed Members of the House Under Direction of Chaplain William L. Shafer**

*Scripture Lesson* — Psalm 90 (excerpts [1-2, 4-6, 12, 16-17])  
Lord, thou hast been our dwelling place in all generations.

Before the mountains were brought forth, or ever thou hadst formed the earth and the world, even from everlasting to everlasting, thou art God.

For a thousand years in thy sight are but as yesterday when it is past, and as a watch in the night.

Thou carriest them away as with a flood; they are as a sleep: in the morning they are like grass which groweth up.

In the morning it flourisheth, and groweth up; in the evening it is cut down and withereth.

So teach us to number our days, that we may apply our hearts unto wisdom.

Let thy work appear unto thy servants, and thy glory unto their children.

And let the beauty of the Lord our God be upon us: and establish thou the work of our hands upon us; yea, the work of our hands establish thou it.

### *Memorial Roll Call*

Mr. Speaker — Honorable Members of the House of Representatives: — The mystery of life has united us in a common bond of fellowship and service. Our days have been numerous, our responsibilities many as we have labored for the common good of our beloved Granite State. From time to time we have noted the absence of a brother who has received the Divine Summons and departed from our midst. In moments of heartfelt sadness we have sought Divine consolation and paid tribute to their days of service in our presence. Now we wish to honor the memory of these men and so signify by the symbol of light, that as our lives have been touched by their presence, may their memory glow within our hearts forever.



**Members**

Conrad Adams, Manchester  
Lewis H. Carpenter, Henniker  
Leon J. Littlefield, Somersworth  
Edward W. Morris, Manchester  
Patrick N. H. O'York, Dover  
James A. Purington, Exeter

**Attache**

H. Furber Jewett, Wolfeboro

*Memorial Prayer*

ALMIGHTY GOD our Father, with whom are the issues of life and death, we have come together to honor the memory of our brethren who have gone before. We thank Thee for the testimony of their lives, for the qualities of their service, and for the devotion of their hearts. Though they walk no more among us in the flesh, yet are their spirits with us, heartening and inspiring us along life's way. May their dreams of a better world and a larger brotherhood live again in us and be brought another step toward realization. In this hour may we be persuaded not only of the immortality of memory, but also of the immortality of the human soul. Strengthen us with the conviction that a life lived for Thee and our fellow men here and now is but the prelude to a larger and more abundant life beyond in Thy Kingdom of Love. In the solemnity of this hour help us one and all to dedicate ourselves anew to the spirit of true charity, to justice, and to the higher demands of brotherly love and fidelity; through Jesus Christ our Lord. Amen.

*Scripture Lesson — 23rd Psalm*

Let us feast at the fountain of faith with the Psalmist, who said —

The Lord is my shepherd; I shall not want.

He maketh me to lie down in green pastures: he leadeth me beside the still waters.

He restoreth my soul: he leadeth me in the paths of righteousness for his name's sake.

Yea, though I walk through the valley of the shadow of death,  
I will fear no evil: for thou art with me; thy rod and thy  
staff they comfort me.

Thou preparest a table before me in the presence of mine  
enemies: thou anointest my head with oil; my cup runneth  
over.

Surely goodness and mercy shall follow me all the days of my  
life: and I will dwell in the house of the Lord forever.

### *Trinitarian Benediction*

“The grace of the Lord Jesus Christ, and the love of God, and  
the communion of the Holy Spirit, be with you all.” Amen.

## **House**

### **Introduction of Guests**

The Chair introduced Mr. Richard Drum and Mr. George Olberg, members of the Maine Legislature as guests of the House today.

The Chair introduced a group of students in the gallery who are in this country from India as a part of the Experiment in International Living.

### **Leaves of Absence**

Mr. Green of Rollinsford was granted leave of absence for the week on account of important business.

Mr. Uhlenberg of Gilmanton was granted leave of absence for today and Thursday on account of important business.

### **Committee Reports**

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule 6, Ought to pass with amendment.

### **Amendment to HB 545**

Amend the first footnote under the paragraph for public works and highways; administration, engineering by adding at the end of said paragraph the words, unless it is vacant.

On motion of Mr. Pappagianis of Nashua the House concurred in the report.

HB 546, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule 6. Ought to pass with amendment.

#### **Amendment to HB 546**

Amend the total for the division of resources development by striking out the figure "248,029" and inserting in place thereof the figure 247,029.

Amend the total for state police by striking out the figure "114,410" and inserting in place thereof the figure 125,659.

Amend the first footnote after the paragraph for the board of education by striking out the words "helping teacher" and inserting in place thereof the words, teacher consultant.

Amend the first footnote under the paragraph for public works and highways, engineering by adding at the end thereof the words, unless it is vacant.

\* \* \*

On motion of Mr. Pappagianis of Nashua the House concurred in the report.

SB 85, enacting the interstate compact on motor vehicle safety equipment, Mrs. Potter of Northumberland for Engrossed Bills, Ought to pass with amendment under Joint Rule 6.

#### **Amendment to SB 85**

Amend said bill by striking out the first seven lines of section 1 and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 263-A (supp) as inserted by 1955, 209:1 the following new chapter:

#### **Chapter 263-B**

#### **Vehicle Equipment Safety Compact**

263-B:1 Compact Enacted. The vehicle equipment safety compact is hereby enacted into law and entered into with all

other jurisdictions legally joining therein in the form substantially as follows.

### Findings and Purposes

Further amend said bill by striking out in sections 6, 7 and 8 the figures "263-A" and inserting in place thereof the figures, 263-B.

\* \* \*

On motion of Mr. Claffin of Wolfeboro the House concurred in the report.

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

### Amendment to HB 313

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2 Membership of Advisory Board. Amend RSA 383:20 (supp) as inserted by 1961, 278:1, by striking out said section and inserting in place thereof the following: 383:20 Appointment and Term. The advisory board shall consist of ten members, seven members to be appointed by the governor with the advice and consent of the council from nominations made from each of the following groups, namely, mutual savings banks, the trust companies, the guaranty savings banks, the national banks with principal offices in New Hampshire, cooperative banks (including building and loan associations), consumer finance companies with principal offices in New Hampshire, and the credit unions, each of whom shall select a panel of three persons representing its type of institution and from each of the seven panels thus selected one person shall be appointed to the advisory board. The terms of office of said members shall be for six years each, except that for the first appointments one member shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, and two for a term of six

years. In addition, the speaker of the house shall appoint two members, who shall be members of the house, and the president of the senate shall appoint one member who shall be a member of the senate, said three members shall serve for a term of four years or until the time they become no longer a member or elected member of the senate or house of representatives whichever is earlier. Each member of the board shall serve until his successor has been appointed and qualified and vacancies shall be filled for the unexpired term in the same manner in which the original appointments were made. The advisory board shall also act as a committee to study the banking laws and make such recommendations as they see fit to any future session of the legislature. The chairman shall be elected by the board from its members annually at the first regular quarterly meeting. A vice-chairman and clerk shall be elected at the same meeting and the clerk may be other than a member of the board. Special meetings may be held at different places about the state.

Further amend the bill by inserting after section 2 the following new section: 3 Time of Effectiveness Relative to Terms of Office. Nothing contained in this act shall be construed to affect or change the term of office of any of the members of the advisory board in office at the time of the passage of this act.

Further amend the bill by renumbering section 3 to read 4.

\* \* \*

Mr. D'Amante of Claremont moved that the House non-concur in the Senate amendment and that a committee of conference be appointed and spoke in favor of the motion.

Mr. Bigelow of Warner moved that the House concur in the Senate amendment and spoke in favor of the motion.

Messrs. Welch of Concord, Dupont of Manchester, Bednar of Hudson, Hancock of Concord and Moran of Manchester spoke against the motion.

Messrs. Reddy of Hopkinton and Pratt of Keene spoke in favor of the motion to concur.

The House concurred in the Senate amendment.

**Committee Reports**

HB 621, relative to the production, distribution and sale of milk and other dairy products, Mr. Adams of Madbury for Agriculture. Ought to pass with amendment.

**Amendment to HB 621**

Amend the bill by striking out section 4 and renumbering section 5 to read section 4.

\* \* \*

The Clerk read the amendment.

Mr. Underwood of Chester spoke in favor of the bill.

Mr. Stevens of Epsom spoke in favor of the bill.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Ballam of Walpole the rules of the House were so far suspended as to permit third reading and final passage of HB 621 at the present time by title only.

HB 621, relative to the production, distribution and sale of milk and other dairy products, was read a third time, passed, and sent to the Senate for concurrence.

HB 521, relative to certain benefits for teachers, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

The resolution was adopted.

On motion of Mr. Totman of Alstead the rules of the House were so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

SB 94, providing for an additional justice for the superior court, Mrs. Cooper of Nashua for Judiciary. Ought to pass with amendment.

**Amendment to SB 94**

Amend said bill by adding after section 2 the following new section:

3 Superior Court Stenographers. Amend RSA 519:26 (supp) as amended by 1955, 271:1, 1957, 129:1, 140:1, and

1961, 221:14 by striking out the word "eight" in the second line and inserting in place thereof the word, nine, so that said section as amended shall read as follows: 519:26 Appointment. The superior court, acting as a body, may appoint not more than nine official state court stenographers who shall report the proceedings of the superior court of any county to which they may from time to time be assigned by said court. Each court stenographer shall be sworn to the faithful discharge of his duties and shall receive from the state an annual salary of six thousand eighty-seven and twelve hundredths dollars. He shall take full notes of all oral testimony and other proceedings in the trial of causes either at law or in equity including the charge of the justice in all trials before a jury and all comments and rulings of said justice in the presence of the jury during the progress of the trial as well as all statements and arguments of counsel addressed to the court, and during the trial shall furnish for the use of the court or either of the parties a transcript of so much of his notes as the presiding justice may direct. He shall also furnish a transcript of so much of the evidence and other proceedings taken by him as either party to the trial may require on payment therefor by such party at the rate fixed by the court as provided in section 30.

Further amend said bill by renumbering section 3 to read section 4.

\* \* \*

On motion of Mr. Totman of Alstead, the rules were so far suspended as to dispense with reference to the Appropriations committee.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Totman of Alstead the rules of the House were so far suspended as to permit third reading and final passage of SB 94 at the present time by title only.

SB 94, providing for an additional justice for the superior court, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

SB 119, providing for representative to the general court from the town of Sugar Hill, Mrs. Frizzell of Charlestown for Judiciary. Refer to the Supreme Court.

**To the Honorable Supreme Court**

*Whereas*, Senate Bill No. 119, An act providing for representative to the General Court from the town of Sugar Hill, is pending before the House of Representatives, and

*Whereas*, the town of Sugar Hill did not exist in 1960 so as to be included in the federal census, and

*Whereas*, the town of Sugar Hill was created by separation from the town of Lisbon and incorporated by act of the General Court of New Hampshire in 1961, and

*Whereas*, in the year of 1966 the presently entitled cities, wards and towns may elect a total of 399 representatives, and

*Whereas*, it is apparent that there is one or more inhabitants of said town so that it would be entitled to representation in at least one session in every ten years, and

*Whereas*, Senate Bill No. 119 would authorize the election of one representative in the year 1966, and

*Whereas*, questions have arisen as to the constitutionality of said act, now therefore be it

*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Is it constitutionally competent for the General Court to authorize an election by the town of Sugar Hill for a representative in the year 1966 when there was no census of said town in 1960, under Article 9 of Part Second of the Constitution of New Hampshire?
2. Is it constitutionally competent for the General Court to authorize said election under Article 9 of Part Second of the Constitution of New Hampshire wherein it is specified — "in making such apportionment no town shall be divided"?
3. Is the presently unknown number of inhabitants of the town of Sugar Hill as bearing on the requisite number established for one representative a bar under Article II of Part Second of the Constitution of New Hampshire? Be it further



*Resolved*, That the Speaker transmit seven copies of this resolution and of Senate Bill No. 119 to the Clerk of the Supreme Court for consideration by said Court.

Mr. Stevenson of Bethlehem moved that the words, Ought to pass, be substituted for the words, refer to the Supreme Court, and spoke in favor of the motion.

(Mrs. Frizzell of Charlestown in the Chair)

Mr. Totman of Alstead, McMeekin of Haverhill and Mr. Upton of Concord spoke against the motion.

(discussion ensued)

The motion was not adopted.

The question now being on the report to refer the bill to the Supreme Court.

The report was adopted.

HB 618, relative to availability to public of public records and meetings, Mr. Peever of Salem for Judiciary. Inexpedient to legislate.

Mr. Bednar of Hudson spoke in favor of the bill.

Mr. Kearns of Manchester moved that the bill be sent to the Judicial Council.

Mr. Bednar spoke in favor of the motion.

The motion did not prevail.

The question being on the resolution of the committee.

The resolution was adopted.

### **Recess**

### **After Recess**

(Speaker in Chair)

### **Engrossed Bills Report**

HJR 34, in favor of Marcus E. Diffenderfer, et al, Mrs. Potter of Northumberland for Engrossed Bills under Joint Rule 6, Ought to pass with amendment.

**Amendment to HJR 34**

Amend said resolution by inserting before the word "Marcus" the following:

That the following named persons be allowed the sums set opposite their names for mileage allowance for the 1959 session of the general court, which said allowance, although approved by the then mileage committee, was not paid because of an error. The sums appropriated hereunder shall be a charge upon the legislative appropriation.

\* \* \*

The Clerk read the amendment in full.

On motion of Mr. McAllister of Barnstead the House concurred in the amendment.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

HB 400, to provide group life insurance, and groups hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses. Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

**Amendment to HB 400**

Amend by striking out section 2 and inserting in place therefor the following:

2 Appropriation. There are hereby appropriated to be expended by the board of trustees of the state employees retirement system for the purpose of paying the state's obligations under this act for the fiscal year ending June 30, 1964 the following sums: \$112,800 from the general funds of the state, \$91,200 from highway funds, \$7,200 from fish and game funds, \$19,200 from federal funds and \$9,600 from self-sustaining funds. Like amounts chargeable to the same funds are hereby appropriated for the fiscal year ending June 30, 1965.

\* \* \*

The Clerk read the amendment.

Mr. Clement of Rochester explained the amendment.

Mr. Peterson of Peterborough spoke in favor of the amendment.

Mr. Kearns of Manchester spoke in favor of the amendment.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit HB 400 to be placed on third reading and final passage at the present time, by title only.

HB 400, to provide group life insurance, and groups hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses, was read a third time, passed, and sent to the Senate for concurrence.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

HB 340, relative to mileage rate for all state employees using privately owned passenger vehicles, Mr. Eaton of Hillsborough for Appropriations. Ought to pass with amendment.

#### Amendment to HB 340

Amend by striking out section 1 and inserting in place thereof the following:

1 Mileage Rate. Amend RSA 99-A (supp) as inserted by 1955, 257:1 by striking out the words "For the first 12,000 miles seven cents per mile" and inserting in place thereof the words, For the first 6,000 miles eight cents per mile, for the next 6,000 miles seven cents per mile, so that said section as amended shall read as follows: 99-A:1 State Officials and Employees. State officials and employees using private cars in the conduct of official state business shall be reimbursed for mileage at the following rates, based on the number of miles travelled in any one fiscal year: For the first 6,000 miles eight cents per mile, for the next 6,000 miles seven cents per mile, for the next 6,000 miles six cents per mile, and for all miles in excess of 18,000 miles five cents per mile.

Further amend by striking out section 2 and inserting in place thereof the following:

2 Appropriation. There are hereby appropriated for the fiscal year ending June 30, 1964 for the increases in the allowance for privately owned passenger vehicles, as provided herein, the following sums: \$25,500 from general funds of the state \$14,750 from highway funds, \$9,750 from fish and game funds, and \$12,750 from special funds. Like amounts chargeable to the same funds are hereby appropriated for the fiscal year ending June 30, 1965.

\* \* \*

The Clerk read the amendment.

Mr. Clement explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the rules of the House were so far suspended as to permit HB 340 to be placed on third reading and final passage at the present time, by title only.

HB 340, relative to mileage rate for all state employees using privately owned passenger vehicles, was read a third time, passed, and sent to the Senate for concurrence.

SB 51, providing for the construction of a bridge parallel to the General Sullivan bridge, Mr. Dumont of Berlin for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Dumont of Berlin the rules of the House were so far suspended as to place SB 51 on third reading and final passage at the present time, by title only.

SB 51, providing for the construction of a bridge parallel to the General Sullivan bridge, was read a third time, passed, and sent to the Secretary of State to be engrossed.

HB 79, relative to the national system of interstate and defense highways in the Portsmouth, New Hampshire, Kittery, Maine Area, Mr. Goode of Manchester for Appropriations. Refer to the Legislative Council for study relative to the effect of

said bill on the economy of New Hampshire and the finances of the State.

Mr. Plumer of Bristol spoke against the report.

(discussion ensued)

Mr. Goode of Manchester spoke in favor of the committee report.

Mr. Young of Rye moved that the words, Ought to pass, be substituted for the words, refer to the Legislative Council and spoke in favor of the motion.

Mr. Stafford of Portsmouth spoke against the motion.

Mr. Osborne of Portsmouth spoke in favor of the motion.

(Mr. McMeekin of Haverhill in the Chair)

(discussion ensued)

Messrs. Hallett of Littleton and Taft of Greenville spoke in favor of the motion.

(discussion ensued)

Messrs. Clement of Rochester, Kearns of Manchester and McEachern of Portsmouth spoke against the motion.

Mr. Keefe of Portsmouth moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question being on the motion to substitute the words, Ought to pass, for the report of the committee, refer to the Legislative Council.

On a *viva voce* vote the Nays appeared to have it.

Mr. Murch of Portsmouth requested a division.

The division being manifestly in the negative the motion was lost.

The question now being on the report of the committee, refer to the Legislative Council.

The motion was adopted.

SB 89, making an appropriation for educational television, Mr. Goode of Manchester for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Clement of Rochester the Rules of the House were so far suspended as to place SB 89 on third reading and final passage at the present time, by title only.

SB 89, making an appropriation for educational television, was read a third time, passed, and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Keefe of Portsmouth, having voted with the majority, moved that the House reconsider its vote whereby it referred HB 79 to the Legislative Council for further study, and spoke against the motion.

The motion was lost.

Mr. Goode of Manchester, having voted with the majority, moved that the House reconsider its vote where it passed SB 51, providing for the construction of a bridge parallel to the General Sullivan bridge, and spoke against the motion.

The motion was lost.

(Speaker in the Chair)

### Senate Message

The Senate message announced that the committee on Resources, Recreation and Development to whom was referred Senate Bill 118, An Act relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach. Having considered the same, report the same with the recommendation that the bill ought to pass.

### Introduction of a Senate Bill

SB 118, relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach, was read a first and second time and referred to Resources, Recreation and Development.

Mr. Casassa of Hampton moved that SB 118 be taken up at the present time.

Mr. Casassa explained the bill.

The motion prevailed.

SB 118, relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass.

The bill was referred to the Appropriations committee under the Rules.

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to permit the introduction of a bill not previously passed on by the Rules committee.

An Act for the incorporation of The League for Education Planning and Fiscal Research, Inc.

The Clerk read the bill in full.

## STATE OF NEW HAMPSHIRE

*In the year of Our Lord one thousand nine hundred and sixty*

### AN ACT

for the incorporation of The League for Education Planning and Fiscal Research, Inc.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

*Whereas*, the improvement of the educational institutions of the state of New Hampshire are of critical importance both to our individual citizens, and to the future growth and development of the state as an economic and social unit; and

*Whereas*, the training of skilled personnel on both a vocational and academic level is vital to our nation in the never-ending struggle with competing foreign ideologies; and

*Whereas* New Hampshire is embarking on a program of integrating and coordinating its public institutions of higher education; and

*Whereas*, there exists in this state neither a single body corporate nor a state agency devoted to the problem of a continuing survey of our educational structure as a whole, and the effect which different educational programs will have on the general welfare of the state; and

*Whereas*, over fifty percent of the school districts of this jurisdiction are reported to be imposing local property taxes at a rate deemed excessive by national standards; and

*Whereas*, neither various civic groups, such as the Council for Better Schools, nor the interim commission on education appointed by the 1961 session of the legislature of New Hampshire have been able to devise a satisfactory fiscal program which promises a permanent solution to the problem of financing education in the state of New Hampshire; and

*Whereas*, it has been observed that various charitable, religious and civic organizations have benefitted materially from the operation of games known as lotteries, beano, and other drawings; and

*Whereas*, the use of these devices for the raising of revenue in behalf of public charitable, religious and social welfare organizations has a wide acceptance both in the state of New Hampshire and elsewhere; and

*Whereas*, the increasing pressure created by the fiscal demands of education requires considerable fiscal imagination and experimentation if it is to be solved within the framework of public opinion as manifested in the state of New Hampshire, now therefore

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Establishment of Corporation. In order to work toward the accomplishment of the foregoing purposes and to work toward the solution of the foregoing problems, there is hereby created a civic organization in the form of the public corporation to be known as "The League for Educational Planning and Fiscal Research, Inc."

2 Charter. The charter of said corporation in addition to the foregoing general purposes and without limiting the same shall include the following:

#### Article 1

The name of the corporation shall be "The League for Educational Planning and Fiscal Research, Inc."



## Article II

The objects for which the corporation is established are:

a. To study the fiscal requirements of all public educational institutions and programs within the state of New Hampshire.

b. To collect data concerning such requirements from any school district, any public educational institution, any private educational institution, and any state agency concerned with the educational structure and institutions of the state of New Hampshire.

c. To conduct a continuing planning survey of all educational programs within the state, and to make recommendations concerning the same to the governor and legislature for administrative or legislative action designed to improve the educational structure of the state.

d. To study the inter-relationship between the financing of education by the various agencies of government concerned with the same, by public charitable and social welfare organizations and by private funds of individual parents and others directly concerned with the education of students.

e. To publish such reports as a result of the studies authorized and prescribed in paragraphs a, b, c and d as may be necessary and appropriate to inform the public of the fiscal problems concerning education in this state, and to recommend such measures to the public, to the governor and to the legislature as will most effectively cope with such problems.

f. To conduct such fiscal experiments in the financing of public education as it may be authorized to do by act of the legislature or by duly authorized executive order of the governor and council as authorized by the legislature. Without limiting the generality of the power set forth in this paragraph f, the corporation shall be authorized to conduct public drawings in the form of sweepstakes in the manner, form and according to the limitations and powers conferred upon the state's sweepstakes commission by chapter 52 of the Laws of 1963 as amended, provided that this specific power is hereafter conferred upon it by duly authorized executive order of the governor and council, or by appropriate legislative supplement to this charter.

g. To acquire, hold, own and dispose of personal property necessary or convenient to the carrying out of its corporate purposes.

h. To accept funds and contributions from other social welfare and charitable organizations, from private individuals, from any agency or subdivision of federal, state or local government, and from any and all firms, corporations and entities of every kind and description.

### Article III

The corporation shall have the following powers for the accomplishment of its objects:

a. To employ agents, consultants, technical assistants, professional advisers and employees as it may deem necessary to carry out its functions. All persons hired as regular employees shall be compensated in accordance with the pay scale comparable to that paid to employees of the state of New Hampshire for the same and similar work.

b. To make such contracts with professional and technical advisors as may be necessary and to fix the rate of compensation thereunder.

c. To make such other contracts and agreements as may be necessary and appropriate for the accomplishment of its purposes.

d. To sue and be sued in its corporate name; to prosecute appeals and to participate in administrative proceedings of every type.

e. In general, and subject to such limitations and conditions as are or may be prescribed by law, to exercise such other powers which now are or hereafter may be conferred by law upon a corporation organized for the purposes hereinabove set forth, or necessary or incidental to the powers so conferred, or conducive to the attainment of the purposes of the corporation, subject to the further limitation and condition that only such powers shall be exercised as are in furtherance of the exempt purposes of organizations set forth in section 501 (c) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended.

#### Article IV

There shall be no corporate stock. No part of the net revenue of the corporation and no part of the financial assistance granted by the corporation shall inure to the benefit of any member, director, officer of the corporation or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes), and no member, director, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution or otherwise. No part of the activities of the corporation shall be carrying on propaganda, or otherwise attempting, to influence legislation, or participating in or intervening in any political campaign on behalf of any candidate for public office. The publication of reports and recommendations as described in the purposes and objects for which this corporation is created shall not be deemed to be the influencing of legislation within the meaning of this prohibition.

#### Article V

The management of the corporation shall be vested in a board of five directors, to be appointed by the governor with the advice and consent of the council, one of whom shall be designated as chairman. Each member shall hold office for five years, and until his successor shall have been appointed and qualified, and any vacancy shall be filled for the unexpired term. The initial appointments of directors, however, shall be as follows: Two members for a term of three years each, and three members for a term of five years each. All succeeding appointments shall be for terms of five years. The governor and council may at any time remove a director for inefficiency, neglect of duty, or malfeasance in office; but no director shall be removed without a hearing, after notice in writing of the charges against him. No director shall be individually liable for any of the actions of the corporation, nor liable for any of the contracts of the corporation, provided that such acts and contracts are duly authorized in accordance with this charter and the by-laws hereafter adopted. Except as hereinafter specified, the directors shall serve without compensation, but shall be entitled to receive mileage and actual expenses incurred in the performance of their duties as directors of the corporation. In the event that the corporation is authorized to conduct

drawings in the form of sweepstakes in connection with the financing of education in the state of New Hampshire, each director shall then be authorized to be paid for such services at the rate of six thousand dollars per year. In the event that such authorization to conduct drawings is conferred upon the corporation, the directors shall give bond to the corporation in such amount as shall be determined by the governor and council of New Hampshire. Such bond shall be conditioned on the faithful performance of their duties in connection with such drawings.

#### Article VI

All property, rights, proceeds, and funds of any nature acquired by the corporation shall be exempt from all taxation. No property or rights of the corporation shall be subject to attachment, or levy and sale by virtue of any execution, and no execution or other judicial process shall issue against the same. No judgment against the corporation shall be a lien upon its property, rights or funds.

#### Article VII

The principal office of the corporation shall be in Concord.

#### Article VIII

The board of directors may adopt such regulations and by-laws as may be appropriate and convenient for the conduct of the affairs of the corporation, and such by-laws, when adopted, shall be filed with the secretary of state.

3 Appropriation. The sum of fifteen thousand dollars is hereby appropriated to be contributed to The League for Educational Planning and Fiscal Research, Inc. for its public welfare purposes.

4 Takes Effect. This act shall take effect upon its passage.

Mr. Pappagianis explained the bill.

(discussion ensued)

Mr. Johnson of Hanover spoke against the bill.

(Mr. Peterson of Peterborough in the Chair)

(discussion ensued)

Messrs. O'Neil of Chesterfield, Plumer of Bristol, Stafford of Laconia, Upton of Concord, Taft of Greenville and Mrs. Greene of Rye and Mrs. Brown of Sandwich spoke against the motion.

(Speaker in the Chair)

Mr. Spanos of Newport spoke in favor of the motion.

Mr. Pickett of Keene and Mr. Allen of Rindge spoke against the motion.

Mr. Pappagianis of Nashua spoke a second time in favor of the motion.

Mr. Bednar of Hudson spoke in favor of the motion.

Mr. Diffenderfer of Ossipee moved the previous question and it was sufficiently seconded.

The Motion was adopted.

(Mr. Diffenderfer in the Chair)

(Speaker in the Chair)

Mr. Pappagianis of Nashua requested a division vote.

The question is on the motion that the rules of the House be so far suspended as to permit the introduction of a bill not previously passed on by the Rules committee.

82 members having voted in the affirmative and 228 in the negative, the motion was lost.

Mr. Pappagianis moved that the rules of the House be so far suspended as to introduce a bill not previously passed on by the Rules committee.

An Act prescribing standards in connection with sweep-stake races and making provision for certain federal taxes with relation thereto.

Mr. Pappagianis spoke in favor of the motion and explained the bill.

(discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Johnson of Hanover spoke against the motion.

Mr. Stafford of Laconia spoke against the motion.

Mr. Pappagianis of Nashua requested a division vote.

143 members having voted in the affirmative and 148 in the negative, the motion was lost.

### **Committee Reports (cont.)**

HB 487, relative to purchases of liquor by state liquor commission, Mr. Nahill of Claremont for Liquor Laws. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Collishaw of Exeter the rules of the House were so far suspended as to place HB 487 on third reading and final passage at the present time, by title only.

### **Third Reading**

HB 487, relative to purchases of liquor by state liquor commission, was read a third time, passed, and sent to the Senate for concurrence.

(Mr. McMeekin of Haverhill in the Chair)

SB 127, to give authority to the director of the division of mental health to make transfers of residents between the Laconia state school and the state hospital, Mr. MacDonald of Concord for Public Welfare and State Institutions. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Peterson of Peterborough the bill was ordered to a third reading and final passage at the present time, by title only.

SB 127, to give authority to the director of the division of mental health to make transfers of residents between the Laconia state school and the state hospital, was read a third time, passed, and sent to the Secretary of State.

SB 122, providing for an executive secretary for the cancer commission, Mr. MacDonald of Concord for Public Welfare and State Institutions. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. MacDonald of Concord SB 122 was ordered to a third reading and final passage at the present time, by title only.

SB 122, providing for an executive secretary for the cancer commission, was read a third time passed, and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. MacDonald of Concord moved that the House reconsider its vote whereby it passed SB 127 and spoke against the motion.

The motion was not adopted.

On motion of Mr. Casassa of Hampton the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

SB 82, establishing a council of resources and development, Mrs. Hampson of Hebron for Resources, Recreation and Development. Ought to pass with amendment.

### Amendment to SB 82

Amend the bill by inserting after section 4 the following new section 5: Consultation With Historical Commission Discretionary. Amend section 4 of chapter 263 of the laws of 1961 by striking out the same and inserting in place thereof the following: 263:4 State Historical Commission; Recommendations. Under the authority of this act, in the selection, development, use and operation of sites and properties having historical significance, now owned or to be acquired by the state, the forestry and recreation commission, if it deems it in the public interest, may request the assistance of and consult with the state historical commission.

Further amend the bill by renumbering section 5 to read 6.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Casassa of Hampton SB 82 was ordered to a third reading and final passage at the present time, by title only.

SB 82, establishing a council of resources and development, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

### Reconsideration

Mr. McGee of Lincoln moved that the House reconsider its vote whereby it passed SB 82 and spoke against the motion.

The motion was not adopted.

On motion of Mr. Cobleigh of Nashua the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

SB 137, relating to the John M. Hunt home, Mr. Cobleigh of Nashua for Executive Departments and Administration. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Cobleigh of Nashua the rules of the House were so far suspended as to permit third reading and final passage of SB 137 at the present time, by title only.

SB 137, relating to the John M. Hunt Home, was read a third time, passed, and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Angus of Claremont moved that the House reconsider its vote whereby it passed HB 434, relating to minimum wages of employees in public works, yesterday and spoke in favor of the motion.

The motion was adopted.

Mr. Angus of Claremont moved that the House reconsider its vote whereby HB 434 was placed on third reading and that the bill be re-called from the Governor.

The motion was adopted.

Mr. Angus moved that the House non-concur in the Senate amendment to HB 434 and requested a committee of conference be appointed.

The motion was adopted.



Mr. Cobleigh of Nashua moved that the rules of the House be so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days.

The motion was adopted.

SB 138, relating to the Mary E. Hunt Home for Aged Women, Mr. Cobleigh of Nashua for Executive Departments and Administration. Ought to pass.

On motion of Mr. Cobleigh of Nashua the rules of the House were so far suspended as to permit third reading and final passage of SB 138 at the present time, by title only.

SB 138, relating to the Mary E. Hunt Home for Aged Women, was read a third time, passed, and sent to the Secretary of State to be engrossed.

(Speaker in the Chair)

On motion of Mr. Angus of Claremont the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

HB 652, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation, Mr. Angus of Claremont for Labor. Ought to pass.

Mr. Hazelton of Merrimack moved that HB 652 be indefinitely postponed and spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

Mr. Peterson of Peterborough spoke in favor of the motion.

Messrs Pappagianis of Nashua, Wheeler of Exeter and McEachern of Portsmouth spoke against the motion.

\* \* \*

The Chair announced that an 8 pound six oz. baby girl was born this morning at 10:45 a.m. to Mr. and Mrs. McEachern of Portsmouth.

\* \* \*

The question being on the motion to indefinitely postpone HB 652.

The motion did not prevail and the bill was ordered to a third reading.

On motion of Mr. Angus of Claremont the rules of the House were further suspended as to place HB 652 on third reading and final passage, by title only at the present time.

### Third Reading

HB 652, relative to the United States Trade Expansion Act of 1962 and Unemployment Compensation, was read a third time, passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Angus of Claremont, having voted with the majority, moved that the House reconsider its vote whereby it passed HB 652 and spoke against the motion.

The motion was not adopted.

\* \* \*

Mr. Totman of Alstead served notice of reconsideration on SB 119, providing for representative to the General Court from the town of Sugar Hill.

\* \* \*

The Speaker asked unanimous consent that the following House and Senate bills and House Joint Resolutions be placed on the calendar for tomorrow.

HB 622, HB 125, HB 649, SB 103, SB 46, SB 98, SB 109, SB 131, SB 134, SB 135, SB 130, SB 97, SB 101, SB 107, HB 641, HB 461, SB 52, SB 69, SB 77, SB 113, SB 136, SB 33, HB 563, HB 588, HB 608, HJR 3, HJR 40, HB 606.

\* \* \*

Mr. Claflin of Wolfeboro moved that the rules of the House be so far suspended as to allow a public hearing on SB 102, to regulate the carriage of household goods for hire by motor vehicles, to be held without notice in the Journal for two days.

The motion prevailed.

\* \* \*

The Chair announced that today is the 45th wedding anniversary of Mr. and Mrs. Oliver of Marlborough.

(Mr. Peterson of Peterborough in the Chair)

Mrs. Frizzell of Charlestown moved that the House adjourn from the morning session.

Motion was adopted.

### **Afternoon Session**

On motion of Mr. Totman of Alstead the House adjourned at 7:02 p.m.

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THURSDAY, JUNE 27, 1963

The House met at 11:00 A.M.

### **Joint Convention**

Prayer was offered by the Chaplain as follows:

ALMIGHTY GOD, grant us this day the renewing power of Thy present witness as we are engaged in legislative responsibility. May Thy Spirit of Divine Wisdom be mingled with our best knowledge to constantly guide us in our deliberations. Give us strength of mind and purpose to act with courage and faith in our search for truth and in our desire for justice. Keep us ever alert to the constant threats of danger perpetrated by those outside our nation and by those inside our nation who seek the destruction and failure of our constitutional government as envisioned by our forefathers. Fill our hearts with Thy Spirit of Peace and may our lives of service reflect our love for Thy most holy Way, through the example of Thy Son, our Lord. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Forbes of Marlow led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Messrs. Rolfe of Rochester and Uhlenberg of Gilmanton were granted leaves of absence for today and tomorrow on account of deaths in the family.

Mr. Lacaillade of Laconia was granted leave of absence for the day on account of important business.

### **Senate Messages**

The Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

SB 37, relative to recounts.

### **Engrossed Bills Report under Joint Rule 6**

HB 399, relative to salary of the justices of Rochester municipal court, Mrs. Potter of Northumberland for Engrossed Bills committee. Ought to pass with amendment, under Joint Rule 6.

### **Amendment to HB 399**

Amend section 1 of said bill by inserting after the figure "124:1" in the fifth line the word and figure, and 1963, 13:1. Further amend said section by striking out the words "three thousand five hundred dollars" and inserting in place thereof the words, four thousand dollars.

\* \* \*

The Clerk read the amendment.

On motion of Mr. Varney of Rochester the House concurred in the amendment.

The Chair appointed Messrs. Angus of Claremont, Stevenson of Bethlehem and Dion of Manchester as conferees on the part of the House on HB 434, relating to minimum wages of employees in public works.

\* \* \*

SB 106, relative to continuous financial responsibility certificates, Mrs. Potter of Northumberland for Engrossed Bills committee. Ought to pass with amendment, under Joint Rule 6.

### **Amendment to SB 106**

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2 Financial Responsibility. Amend RSA 268:3 (supp) as amended by 1957, 305:1 by striking out the words "shall forthwith" in the eleventh line and inserting in place thereof the word, may, and by inserting at the end of said section the following words:

Amend section 4 of said bill by striking out the word "commissioner" and inserting in place thereof the word, director.

\* \* \*

On motion of Mr. Bigelow of Warner the House concurred in the amendment.

### Senate Messages

The Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 180, relative to the incorporation of trust companies.

(Mr. McMeekin of Haverhill in the Chair)

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 207, providing immunity from liability in emergency cases.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives, and asks for a committee of conference.

SB 7, increasing the salary of the Hillsborough County Attorney. The President has appointed as members of said Committee of Conference on the part of the Senate Senator Green and Senator Paquette.

On motion of Mr. O'Neil of Chesterfield the House acceded to the request for a committee of conference on SB 7 and the Chair appointed Mr. Peterson of Peterborough, Mr. Underhill of Nashua and Mr. Kearns of Manchester as conferees on the part of the House.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 604, relative to the Dover city charter.

HB 580, to repeal charters of certain corporations.

HJR 11, providing an appropriation for the Civil War Centennial Commission.

HJR 19, providing funds for completion of forest conservation aid and special aid to heavily timbered towns payments.

HB 398, relative to policemen's retirement system.

HB 234, relating to the bounty on bobcats, lynxes, timber wolves and prairie wolves.

HB 435, relative to the sewerage system in the city of Somersworth.

HB 408, relating to the board of water commissioners of the city of Somersworth.

HB 574, relative to the stock in trade tax.

HB 553, to establish a new apportionment for the assessment of public taxes.

HB 586, extending the time when expenditures can be made from certain aeronautical appropriations.

HB 317, providing additional retirement allowances for certain retired teachers.

HB 494, relative to the compensation of state employees engaged in snow removal.

HB 654, providing for additional appropriations to meet certain contractual deficiencies.

HB 256, authorizing retirement system for employees of the city of Berlin.

HB 111, relating to the printing of proceedings of the county convention of Belknap County.

HB 611, relative to contested elections.

HB 630, providing for collection of taxes on property being re-assessed.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

HB 545, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964.

HB 546, making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965.

SB 85, enacting the interstate compact on motor vehicle safety equipment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

SB 92, relative to chiropodists.

SB 96, relative to tax abatements.

SB 94, providing for an additional justice for the superior court.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 367, An act relative to the salary of, and amount of fees to be collected by, the register of deeds for Rockingham County.

HB 384, An act relative to gross weight of certain vehicles.

HB 385, An act relative to minimum wages.

SB 22, An act to provide or retain public access to recreational bodies of water.

SB 132, An act providing for the integration of the present non-contributory pension system of the city of Nashua with old age and survivors insurance.

HB 580, An act to repeal charters of certain corporations.

HB 157, An act relative to the construction of a residence hall at the University of New Hampshire, and to be liquidated from income.

HB 479, An act relative to cocktail lounges in restaurants.

HB 483, An act providing for the acquisition of certain water rights and dams controlling the headwaters of the Salmon Falls River.

HB 556, An act relative to the incorporation of the Upper Valley Development Council, Inc.

HB 568, An act relative to the state song.

HB 593, An act relative to legal assistance for land acquisitions.

HB 604, An act relative to the Dover city charter.

HB 615, An act relative to purchase of supplies by the department of resources and economic development.

HB 632, An act authorizing the dissolution of the Penacook school district and uniting the same with the union school district of Concord.

SB 71, An act relative to filling vacancies in the office of United States senator.

HB 420, An act relative to marriage counseling referral service.

HB 545, An act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1964.

SB 85, An act enacting the interstate compact on motor vehicle safety equipment.

HB 650, relative to the Lisbon village district.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon



A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HJR 34, in favor of Marcus E. Diffenderfer et al.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 542, relative to settlements in behalf of minors; the President has appointed as members of said Committee on the part of the Senate: Senator Rainie and Senator Olson.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 544, relative to home rule by authorizing adoption of city charters eliminating certain commissions and providing for governmental units to contract for the performance of various municipal functions.

### **Amendment to HB 544**

Amend paragraph 2 of RSA 49-A:8 as inserted by section 1 of the bill by striking out line nine thereof and inserting in its place the following: 5% in cities of more than 20,000 inhabitants; and by inserting after the word "nominated" in line fifteen the words, by filing for the office and paying a filing fee of ten dollars or, so that said paragraph as amended shall read as follows: 2. Upon petition of the registered voters of the city filed with the city clerk a charter commission may be chosen to draft a charter hereunder. Such petition shall be signed by the following percent of registered voters as appearing on the check lists of the preceding regular elections:

10% in cities not over 20,000 inhabitants;

5% in cities of more than 20,000 inhabitants.

Upon the filing of such petition of the voters, the city clerk shall provide for the submission of the question "shall a

charter commission be elected to draft a new charter under the Enabling Act for Local Option City Charters and for the election of a charter commission at the next regular city election occurring not less than seventy-five days after the filing of the petition with said clerk. A charter commission of five members shall be elected by the qualified voters at the same time as public question as submitted. Candidates shall be listed on the ballot in the same manner as is provided for by law for candidates for other office, except that they shall be listed without any party designation or slogan. The ballot shall instruct each voter to vote on the question and regardless of the manner of his vote on the question, to vote for five members of a charter commission who shall serve if the question is voted in the affirmative. Candidates for the charter commission shall be registered voters of the city and may be nominated by filing for the office and paying a filing fee of ten dollars or by petition signed by at least three percent of the registered voters of the city and filed with the city clerk not less than sixty days prior to the date of the election. No voter shall sign a petition or petitions for more than five candidates.

Amend RSA 49-A:9 by inserting after the word "but" in line eight of said section the words, within the appropriation made for the purpose, so that said section as amended shall read as follows: 49-A:9 Organization of Charter Commission. Not less than fifteen days after the election of a commission or the adoption of a vote by the governing body choosing such commission, the charter commission shall meet, adopt appropriate rules and elect appropriate officers for the conduct of its business of drafting a charter hereunder. Members shall serve without pay but within the appropriation made for the purpose shall be reimbursed by the city for expenses, including expenses incurred for consultants and clerical and professional assistance. The commission shall hold public hearings and provide for the widest possible public information and discussion of its work. It may also hold private hearings. Within nine months from the date of its selection, the commission shall report its findings and recommendations to the governing body of the city by filing with the city clerk an original signed copy of its report. If the report recommends the adoption of a charter hereunder, the clerk shall cause to be reproduced sufficient copies of said charter to inform the voters and shall cause their

distribution to the voters not less than thirty days prior to the referendum herein provided for.

Amend RSA 49-A:12 as amended by inserting after the word so in line twelve of the amended section the words, under the procedure set forth in section 8 of this chapter, so that said section as amended shall read as follows: 49-A:12 Amendments and Later Referenda. Amendments to any charter adopted hereunder may be made by the same procedure hereinabove outlined in the preceding four sections at any regular city election held after the adoption of the charter. At any regular city election held not less than five years after the adoption of one optional form of charter herein provided for, a different optional form may be adopted by any city by the procedure hereinabove established by this chapter. Any city wishing to adopt the amendment process hereinabove provided for without adopting either of the two charters provided for by this chapter may do so under the procedure set forth in section 8 of this chapter by submitting the following question to the voters at any regular municipal election: Shall the city of \_\_\_\_\_ adopt the home rule amending process provided for in RSA 49-A which will permit the city to adopt amendments to its charter by popular referendum without the necessity of legislative act? If a majority of those voting on the question answer "Yes," the city shall thereafter be empowered to adopt as an amendment to its own charter any provisions contained in the charter of any other city in the state of New Hampshire, or any provisions contained in either of the charters provided for by this chapter. Upon the adoption of any amendment to an existing corporate charter or upon the adoption of either of the charters provided for by this chapter, the city clerk of the adopting city shall not later than ten days thereafter file with the secretary of state a certified copy of the amendment or of the charter adopted.

Amend RSA 49-A:17 as inserted by section 1 of the bill by striking out the sentence "He shall have no negative on any ordinance, resolution or vote of the board of aldermen." on page fifteen of the bill, so that said section shall read as follows: 49-A:17 Meetings. The mayor shall preside over all meetings of the board of aldermen and the city clerk shall act as a clerk of the board. All meetings of the board of aldermen shall be public. Regular meetings shall be held at such hours on such

days of the week, at such intervals, as the charter may designate and special meetings upon notice mailed to the mayor and to each alderman by the city clerk at the written request of the mayor or of a majority of the aldermen. The board of aldermen shall establish its own rules, and a majority shall constitute a quorum for the transaction of the business of the board. The mayor shall have the right to introduce bills and initiate other measures in the board of aldermen, and to speak therein upon pending measures without resigning the chair; but he shall not be counted to make a quorum of such board, nor vote therein except in case of equal division. The mayor-elect and the newly elected members of the board of aldermen shall assume office at the first January meeting in each even numbered year.

Amend RSA 53-A:2 as inserted by section 14 of the bill by striking out the word "Solicitor" after the word county in line seven of said section and substituting therefor the word, attorney, so that said section as amended shall read as follows: 53-A:2 Form of Agreement. Any agreement made under the authority of this chapter shall be in writing in a form to be approved by the office of the attorney general and the attorney or attorneys representing the governmental units involved. In cases involving counties and cities, the county attorney and the city solicitor shall act for their respective units. In cases involving towns or other governmental units with no regular attorney, the unit involved is authorized to employ counsel to represent it in connection with the negotiation for and drafting of the necessary documents.

\* \* \*

On motion of Mr. Kimball of Manchester the House dispensed with reading of the amendment.

Mr. Kimball of Manchester moved that the House concur in the Senate amendments and spoke in favor of the amendments.

The House concurred in the Senate amendments.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

SB 70, authorizing the adoption of fire prevention codes by cities.

### **Amendment to SB 70**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act authorizing the adoption of fire prevention codes by cities and towns.

\* \* \*

On motion of Mr. Hill of Conway the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 413, relative to emergency lights on motor vehicles

### **Amendment to HB 413**

Amend the title of said bill by striking out the words "and penalty for vehicle overload" so that said title as amended shall read as follows:

An Act relative to emergency lights on motor vehicles.

\* \* \*

On motion of Mr. Claflin of Wolfeboro the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 415, relative to bonding county employees

### **Amendment to HB 415**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Bonding County Employees. Amend RSA chapter 27 by adding at the end thereof the following new section: 27:16 Bonding Employees. The county

convention may by vote require the bonding of any employee of the county.

Further amend the bill by striking out the title and inserting in place thereof the following: An Act relative to bonding county employees.

\* \* \*

On motion of Mr. Urie of New Hampton the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 584, relative to Belknap County Recreational Area

**Amendment to HB 584**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Tax Assessment. The Belknap county recreational area in the town of Gilford shall be exempt from taxation, but in the year 1963 and in each succeeding year thereafter, the county of Belknap shall pay to the town of Gilford with respect to said area and in lieu of taxes thereon, an amount equal to the taxes assessed on said area by said town for the year 1962.

\* \* \*

On motion of Mr. Stafford of Laconia the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled joint resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HJR 10, providing supplemental appropriation for education of the deaf

**Amendment to HJR 10**

Amend said joint resolution by striking out in the first and second lines, the words, "twenty-four thousand six hundred

and fifty dollars" and inserting in place thereof the words, twenty-four thousand nine hundred nine dollars and thirty-five cents, so that said resolution as amended shall read as follows:

That the sum of twenty-four thousand nine hundred nine dollars and thirty-five cents is hereby appropriated for the fiscal year ending June 30, 1963, to be expended by the state board of education to meet the deficit in the appropriation for carrying out the provisions of RSA 186:11, XIII, education of the deaf, and RSA 186:13,X: education of the deaf. The governor is authorized to draw his warrant for the sum hereby appropriated out of money in the treasury not otherwise appropriated.

\* \* \*

On motion of Mrs. Taylor of Whitefield the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 592, establishing an interim commission to consider a substitute for the stock-in-trade tax.

#### **Amendment to HB 592**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Interim Commission. There is hereby established an interim commission whose function it shall be to study the stock-in-trade taxes imposed by the laws of the state and to recommend a substitution or substitutes therefor. Said commission shall be composed of nine members, one of who shall be appointed by the speaker of the House of Representatives and who shall be chairman of the commission; one of whom shall be appointed by the president of the senate and who shall be vice-chairman of the commission; two of whom shall be the chairmen of the ways and means committees in both the senate and house of representatives; four of whom shall be appointed by the governor, one of whom shall be a manufacturer, one of whom shall be a retailer, one of whom shall represent the professions and one of whom shall be a wholesaler; and one of whom shall be elected by the other members of the commission and who shall represent the public at large. The members of the commission shall serve without

compensation, but shall be reimbursed for their necessary expenses and for clerical assistance. The commission shall render its report, including drafts of appropriate legislation, to the 1965 session of the general court. The sum of two thousand five hundred dollars is hereby appropriated for the purposes of this chapter, and the governor is hereby authorized to draw his warrant for said sum out of any monies in the treasury not otherwise appropriated.

\* \* \*

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 112, relating to the advertising of beverages

#### Amendment to HB 112

Amend said bill by striking out section 1 and inserting in place thereof the following sections: 1 Sale of Beverages. Amend RSA 181:4 as amended by 1963, 158:1, by striking out the words "in the case of restaurants, at public tables upon the premises designated in the permit, but only in a room used primarily for the serving and consumption of food, or, when so authorized by the commission, to assemblages of more than six persons in a private room or at a private table; in the case of hotels, at tables or in rooms of guests; in the case of clubs, at tables or over bars. No such permit shall be issued for any restaurant or club which has not been established and doing business for at least six months during the calendar year prior to the application for such permit; provided, however, that the commission may, in its discretion, issue a permit to a seasonal restaurant or club which has been established and doing business for at least two months during the calendar year preceding the application," in the fourth through the fifteenth lines, inclusive, so that said section as amended shall read as follows: 181:4 On Sale Permits. On sale permits shall be issued only for restaurants, hotels or clubs. Such permits shall authorize the permittee to sell beverages for consumption on the premises designated in the permit. It shall be within the discretion of



the commission to issue to a permittee a special permit to sell beverages.

2 Repeal. RSA 181:7, relative to Sunday sales, is hereby repealed.

Further amend the bill by renumbering section 2 to read section 3.

\* \* \*

On motion of Mr. Collishaw of Exeter the House concurred in the Senate amendment.

(Speaker in the Chair)

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 532, relative to classification of temporary and seasonal state employees.

#### **Amendment to HB 532**

Amend the bill by adding the following new section 2: 2 Exceptions. The provisions of this act shall not apply to any employee of the department of public works and highways.

Further amend the bill by renumbering section 2 to read 3.

\* \* \*

On motion of Mr. McMeekin of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 402, relating to posting lands against trespass.

#### **Amendment to HB 402**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following: 1 Penalty on Cultivated Land. Amend RSA 572:15-a as inserted by 1961, 238 by striking out the same and inserting in place thereof the follow-

ing: 572:15-a Penalty Uncultivated Land. An owner may post fifty acres of uncultivated land and one thousand yards of said land along a public highway and whoever without right enters such uncultivated land posted as provided in section 16 shall be guilty of a misdemeanor and if convicted shall be fined not more than fifty dollars.

2 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard

#### Amendment to HB 539

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Hunting and Fishing Licenses. Amend RSA 214 by inserting after section 4 the following new section: 214:4-a Portsmouth Naval Activities. Personnel stationed at the U. S. Naval Shipyard at Kittery, Maine are eligible to purchase hunting and fishing, or hunting or fishing licenses at the same fee as is charged a legal resident of the state. Such license shall have marked or stamped thereon the words "non-resident serviceman's license". These licenses are to be issued only at the U. S. Naval Shipyard, Maine or from the Fish and Game Department.

Further amend said bill by inserting the following new section: 1. Assistant to the Adjutant General

Amend RSA 110A:8 by inserting at the end thereof the following new sub-division.

III. There shall be in the office of the Adjutant General two assistants to the Adjutant General in the grade of Brigadier General, one of whom shall be designated Deputy to the Adjutant General, and both of whom shall be appointed by

the Governor with the advice and consent of the Council. Whenever the Adjutant General is absent from the state or is incapacitated from performing his duties, his Deputy shall act in his stead, or in the absence or incapacity of the deputy, his assistant may act. The Governor is empowered to assign at such times and places as he may determine such other duties to the Deputy Adjutant General and Assistant Adjutant General as he may deem appropriate. Neither of the above-named officers shall be full-time employees but shall be called to duty as above set forth.

\* \* \*

On motion of Mr. London of New London the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 315, relative to marking fishing holes cut in ice on Great Bay.

HB 626, relative to marine fisheries.

HB 597, adopting a state radiation control program.

HB 578, relative to safety and health of employees.

HB 599, relating to counsel for indigent criminal defendants.

HB 203, relating to attachment liens.

HB 191, relating to commitment to the industrial school.

HB 514, relative to fees in the superior court.

HB 483, providing for the acquisition of certain water rights and dams controlling the headwaters of the Salmon Falls River.

HB 54, providing for the acquisition of a certain dam and water rights by the water resources board.

HB 479, relative to cocktail lounges in restaurants.

HB 632, authorizing the dissolution of the Penacook school district and uniting the same with the union school district of Concord.

HB 615, relative to purchase of supplies by the department of resources and economic development.

HB 157, relative to the construction of a residence hall at the University of New Hampshire, and to be liquidated from income.

HB 214, relative to state participation in water pollution control costs.

HB 568, relative to the state song.

A further Senate message announced the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 185, relative to school district budget and approval of tax rate by tax commission.

#### Amendment to HB 185

Amend the bill by striking out section 2 and inserting in place thereof the following: 2 Takes Effect. This act shall take effect July 1, 1963.

\* \* \*

On motion of Mr. Larty of Haverhill the House concurred in the amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 357, establishing a charter for the city of Manchester

(Amendments will be found in Senate Journal for Thursday, June 27, on p. 1001)

Mr. Kimball of Manchester moved that reading of the amendments be dispensed with.

Mr. Kimball of Manchester explained the amendments.

(discussion ensued)

Mr. Healey of Manchester opposed the motion.

Mr. Kimball of Manchester withdrew his motion to dispense with the reading of the amendments.

Mr. Capistran moved that HB 357 be laid on the table and spoke in favor of the motion.

(discussion ensued)

The motion was adopted and the bill was laid on the table.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 485, relative to building and loan associations

#### **Amendment to HB 485**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following: 1 Building and Loan Associations. Amend RSA 393:15 (supp) as amended by 1955, 131:2 by striking out the word "twenty-five" in the thirteenth line and inserting in place thereof the word, thirty, so that said section as amended shall read as follows: 393:15 Loans. Any such corporation may loan money so collected, together with interest, premiums, fines and profits arising from the business, to its shareholders and members on first mortgages on real estate situated anywhere in New Hampshire or within a fifty mile radius of its main office in any state contiguous to New Hampshire, provided however that the geographical limitations shall not apply to Federal Housing Administration and Veterans Administration insured loans purchased from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, or on buildings in the town of Hampton situated on land not belonging to the owner of the building. The loans shall not exceed the appraisal value of said property. Such corporation may accept other satisfactory collateral as additional security for the loan. A premium may be charged in excess of the established rate of interest. Said loans shall be share sinking fund or direct reduction loans. In share sinking fund loans serial shares of the corporation shall also be

pledged sufficient in amount to repay the loan upon maturity. Direct reduction loans shall be repayable in monthly installments sufficient to amortize the same paying off interest or premium and principal in any period of time not exceeding thirty years. Any such corporation holding a first mortgage on such property may take a subsequent mortgage or mortgages on the same property provided that there are no intervening liens. Any shareholder may borrow on the shares of such corporation up to the full value thereof at the time of the loan.

2 Loans and Investments. Amend RSA 393:18 (supp) as amended by 1961, 136:4 by adding at the end thereof the words, An association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association or under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives for such real estate, so that said section as amended shall read as follows: 393:18 Limitations on Amount of Real Estate Loans and Investments. An association may loan its funds upon the security of a first lien on real estate provided that not more than ten thousand dollars shall be loaned upon the security of a first lien on any one property except that if the aggregate amount owing to it on all its mortgage loans exceeds five hundred thousand dollars, in which event it may make such loan in an amount equal to two and one-half per cent of its assets or fifteen thousand dollars, whichever amount is greater, but in no event shall any such loan exceed twenty thousand dollars or one-half of one per cent of the assets of the association, whichever is greater. Loans in excess of ten thousand dollars shall not exceed eighty per cent of the appraised value of the property in question. Loans of twenty thousand dollars or more on one piece of property shall not exceed seventy per cent of the appraised value of the property. The total amount owing to an association upon all such loans and investments in excess of twenty thousand dollars shall not exceed ten per cent of the aggregate amount owing to it on all of its mortgage loans at the time any such loan or investment in excess of twenty thousand dollars is made. These limitations shall not apply to loans insured with the Federal Housing Administration or the Veterans Administration. Notwithstanding the foregoing limitations, an association may make a loan in connection with the sale of real estate acquired by the association under a foreclosure or a deed in lieu of foreclosure,

in an amount not to exceed the sale price the association receives for such real estate. An association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association or under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives for such real estate.

3 Excess Limits. Amend RSA 393:22 (supp) as amended by 1961, 136:5 by striking out the words "seven and one-half" where it occurs in the second and fifth lines and inserting in place thereof the word, ten, so that said section as amended shall read as follows: 393:22 Borrowing. It may, without consent of the commissioner, borrow not in excess of ten per cent of its share capital and may pledge as collateral for such borrowings real estate mortgages, notes and other securities. It may with the consent of the commissioner, borrow in excess of ten per cent of its share capital, and with his approval may pledge as collateral, real estate mortgages, notes, and other securities.

4 Association Offices. Amend paragraph II of RSA 393:24 (supp) as amended by 1955, 131:1 by striking out said paragraph and inserting in place thereof the following: II. In the purchase of improved or unimproved real estate and in the construction or improvement of buildings thereon for the purpose of providing offices for the transaction of an association's business. Such building may also include space for rental purposes. The cost to the association of such lands and buildings shall not exceed seventy-five per cent of the sum of such association's guaranty fund, surplus, and reserves at the time such investment is made.

5 New Provisions. Amend RSA 393 by inserting after section 57 (supp) as inserted by 1961, 136:9 the following new sections: 393:58 Power to Provide Insurance, Incentive Plans, Deferred Compensation Plans and Other Retirement Benefits for Officers and Employees. Every building and loan association and cooperative bank organized under this chapter shall have the power to provide life, health and casualty insurance for its officers and employees and to adopt and operate reasonable incentive plans, deferred compensation plans and other forms of retirement benefits for such officers and employees.

393:59 Limited Power to Act as Trustee. Associations and cooperative banks shall have the power to act as trustee within

the contemplation of subsection (d) (1) of section 2 of the Federal Self-Employed Individuals Tax Retirement Act of 1962 and as custodian within the contemplation of subsection (f) (1) of the same section. Associations and cooperative banks exercising the trustee and custodian powers authorized by this section shall be required to segregate all funds held in such fiduciary capacities from the general aspects of the association and shall keep a separate set of books and records, showing in proper detail all transactions engaged in under the authority of this section. Provided individual records are kept for each self-employed individual's retirement plan, all funds held in such trust or custodial capacity by the association or cooperative bank may be co-mingled for appropriate purposes of investment. No funds held in such fiduciary capacity shall be used by the association in the conduct of its business, although funds held in such fiduciary capacity may be invested in the savings account of the institution in the event that the trust or custodial retirement plan does not prohibit such investment. Whenever the laws of this state require corporations acting in a fiduciary capacity to deposit securities with state authorities for the protection of private trusts or custodianships, associations so acting shall be required to make similar deposits, as provided by the law of this state.

6 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

On motion of Mr. Bigelow of Warner, reading of the amendment was dispensed with.

Mr. Bigelow of Warner explained the amendments.

On motion of Mr. Bigelow of Warner the House non-concurred in the Senate amendments and a committee of conference was appointed.

The Chair appointed Mr. Peterson of Peterborough, Mrs. Vey of Brentwood and Mr. Manning of Manchester as conferees on the part of the House.

\* \* \*

Mr. Stafford of Laconia moved that the Rules of the House be so far suspended as to permit the introduction of a House Joint Resolution not previously passed on by the Rules committee.



Mr. Stafford spoke in favor of the motion.

(discussion ensued)

The Nays appeared to have it.

Mr. Stafford requested a division.

90 members having voted in the affirmative and 132 in the negative the motion was lost.

### Notice of Reconsideration

Mr. Kelley of Littleton served notice that today, or some subsequent day, he would ask the House to reconsider its vote whereby it killed HB 402, relating to posting lands against trespass.

\* \* \*

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 249, relative to the taking of wild black bear

### Amendment to HB 249

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Time for Taking Changed. Amend RSA 208:22 (supp) as inserted by 1961, 126:1, by striking out in lines two and three the words and numerals "from October 1 to December 10" and inserting in place thereof the following, during the months of May, October and November; by striking out in lines six after the word September the word "and" and inserting after the word October the words, and November, so that said section as amended shall read as follows: 208:22 Wild Black Bear. Wild black bear, outside of game preserves, may be taken and possessed from one-half hour before sunrise to one-half hour after sunset in all counties of the state during the months of May, October and November provided that no bear shall be taken at any time on any island or in any waters or lakes or ponds. Wild black bear may be taken by the aid and use of dogs during the months of May, September, October and November with written permission of the director or his agents. Wild black bear may be taken by the aid and use of dogs, firearms and by bow and arrow provided that no person shall take bear by the aid or

use of a jack or artificial light, trap, snare, swivel, pivot or set gun or calibre .22 rimfire firearm unless otherwise herein provided. Any person who kills a wild bear as provided by this section shall report as outlined in RSA 470:1-a. Landowners, or their agents, shall be permitted to set traps for bear doing actual or substantial damage to property. Such trapping shall only be permitted after the director or his agents has been notified of damage and have investigated said complaint. The director or his agents may then issue a special permit for the use of traps. Said permit shall state the location of traps and the dates when trapping shall be allowed. Any traps set as hereinbefore described shall be arranged and set in accordance with RSA 210:15. The carcass of a bear legally taken and reported may be bought and sold. Live bear may not be offered for sale at any time unless by a person permitted so to do by the director. Any person who violates any provision of this section shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both.

\* \* \*

On motion of Mr. London of New London, reading of the amendments was dispensed with.

Mr. London explained the amendments.

On motion of Mr. London the House concurred in the Senate amendments.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 434, relating to minimum wages of employees in public works, having considered the same, report the same with the recommendation that the senate recede from its position in adopting its amendment, that the house recede from its position in passing the bill, and that the following amendment be adopted:

Amend said bill by striking out section 1 and inserting in place thereof the following: 1 Payments Included in Establishing Wage Rates. Amend RSA 280:1 by striking out said section and inserting in place thereof the following: 280:1 Regulation by the Commissioner of Labor. The rate per hour of the wages paid to mechanics, teamsters, chauffeurs, and laborers employed in the construction of public works by the state of New Hampshire, or by a county or town, or by persons

contracting or sub-contracting for such work shall not be less than the rate or rates of wages to be determined by the commissioner of labor as hereinafter provided; provided, that the wages paid to mechanics, teamsters, chauffeurs, and laborers employed on said work shall not be less than the wages paid to said employees in the municipal service of the town or towns where said works are being constructed; provided, further, that where the same public work is to be constructed in two or more towns, the wages paid to said employees shall not be less than the wages paid to said employees in the municipal service of the town paying the highest rate; provided, further, that if, in any of the towns where the works are to be constructed, a wage rate or wage rates have been established in certain trades and occupations by collective agreements or understandings between organized labor and employers, the rate or rates to be paid on said works shall not be less than the rates so established; provided, further, that in towns where no such rate or rates have been established, the wages paid to said employees on public works, shall not be less than the wages paid in said towns to the employees in the same trades and occupations by private employers engaged in the construction industry. This section shall also apply to regular employees of the state when such employees are employed in the construction, addition to, or alteration of said works for which special appropriations are provided. Payments by employers to health and welfare plans and pension plans under collective bargaining agreements or understandings between organized labor and employers shall be included for the purpose of establishing minimum wage rates as herein prescribed.

Mr. Angus of Claremont  
Mr. Stevenson of Bethlehem  
Mr. Dion of Manchester  
Conferees on the part of the House  
Senator Olson  
Senator Martel  
Conferees on the part of the Senate

At the request of Mr. Newell of Concord, Mr. Angus of Claremont explained the amendment.

The committee of conference report was adopted.

\* \* \*

On motion of Mr. Capistran of Manchester HB 357 was taken from the table.

Mr. Capistran moved that the House concur in the Senate amendments and spoke in favor of the motion.

(discussion ensued)

Mr. Healy of Manchester spoke against the motion.

### **Recess**

### **After Recess**

The question being on the motion to concur in the amendments offered by the Senate.

Messrs. Conover, Kimball and Mahoney of Manchester spoke in favor of the motion.

Mr. Casey of Manchester spoke against the motion.

Messrs. Feldman and Kearns of Manchester spoke in favor of the motion.

Mr. Gamache of Manchester moved that HB 357 be indefinitely postponed.

Mr. Healy of Manchester spoke in favor of the motion.

Mr. Kearns of Manchester spoke against the motion.

Mr. Bergeron of Manchester moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question being on the motion to indefinitely postpone HB 357.

Mr. Healy of Manchester requested a division vote.

The motion to indefinitely postpone was manifestly in the negative and the motion was lost.

The question now being on the motion to concur with the Senate amendments.

The motion was adopted.

### **Personal Privilege**

Mr. Pappagianis of Nashua rose on a point of personal privilege.

### Reconsideration

On motion of Mr. McMeekin of Haverhill the House reconsidered its vote whereby it passed HB 532, relative to classification of temporary and seasonal state employees.

Mr. McMeekin moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. McMeekin of Haverhill, Smith of Plymouth and Eastman of Weare as conferees on the part of the House.

Mr. Taft of Greenville moved that the House reconsider its vote whereby it passed HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard.

Mr. Pappagianis of Nashua spoke in favor of reconsideration.

The motion to reconsider was adopted.

Mr. Taft of Greenville moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Mr. Merrill of Hampton Falls, Mr. Drew of Farmington and Mr. LaFrance of Manchester.

### Senate Messages

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

SB 45, relative to rates at state-owned ski facilities.

### Amendment to SB 45

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to rates at state-owned ski facilities.

On motion of Mr. Casassa of Hampton the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 38, providing for a director of legislative services.

### **Amendment to HB 38**

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5 Appropriation. There is hereby appropriated the sum of thirty thousand dollars for the fiscal year ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965, for the office of the director of legislative services. An additional sum of five thousand dollars for the period from July 1, 1963 to June 30, 1965 is hereby appropriated for the services of a consultant to the director of legislative services, to be engaged by him, subject to the approval of a committee composed of the president of the senate, the speaker of the house, the minority leader of the house, the minority leader of the senate, the chairman of the senate finance committee and the chairman of the house appropriations committee, any four of whom may act as a quorum. If a member of the staff of the attorney general's office is appointed to the post of consultant hereunder such sums as he may be paid as such consultant shall be in addition to his regular classified salary. The sums appropriated hereunder shall be a charge upon the legislative appropriation.

\* \* \*

On motion of Mrs. Clark of Lee reading of the amendment was dispensed with.

Mrs. Clark explained the amendment.

On motion of Mrs. Clark of Lee the House concurred in the Senate amendment.

### **Committee of Conference Report**

The Conference Committee to whom was referred HB 542, relative to settlements in behalf of minors, having considered

the same, report the same with the recommendation that the House recede from its position of nonconcurrence in the adoption of the Senate amendment and the Senate recede from the adoption of its amendment and the following amendment be adopted:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Minors. Amend RSA 462:2 by striking out said section and inserting in place thereof the following: 462:2 Settlements in Behalf of Minors. No settlement, the amount of which exceeds seven hundred and fifty dollars, of any suit brought in behalf of an infant by parent or next friend shall be valid unless approved by the court in which the action is pending or to which the writ is returnable. In any suit on behalf of an infant or against an infant or in which an infant is interested, the court may make all necessary orders for protecting the interests of the infant and may require the guardian ad litem, parent or next friend to give bond to truly account for all money received on behalf of the infant whether through settlement, judgment, decree or other order.

Gilbert Upton  
Reuben Moore  
Wm. Johnson  
Conferees on the part of the House  
  
Senator Olson  
Senator Rainie  
Conferees on the part of the Senate

The report was adopted.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 485, relative to building and loan associations and the President has appointed as members of said Committee on the part of the Senate: Senator Holmes and Senator Hunter.

### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House Bills:

HB 54, An act providing for the acquisition of a certain dam and water rights by the water resources board.

HB 191, An act relating to commitment to the industrial school.

HB 203, An act relating to attachment liens.

HB 214, An act relative to state participation in water pollution control costs.

HB 302, An act relative to the state board of conciliation and arbitration.

HB 313, An act relative to the bank advisory board.

HB 315, An act relative to marking fishing holes cut in ice on Great Bay.

HB 514, An act relative to fees in the superior court.

HB 578, An act relative to safety and health of employees.

HB 599, An act relating to counsel for indigent criminal defendants.

HB 626, An act relative to marine fisheries.

Mrs. Potter of Northumberland

Mrs. Marx of Langdon

Mr. Eastman of Weare

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 85, providing one open season for taking deer.

### **Amendment to HB 85**

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Wild Deer. Amend RSA 208:2 (supp) as amended by 1955, 264:1 and 1961, 254:1 by striking out said section and inserting in place thereof the following: 208:1 Taking; Time. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset from November 15 to December 10, in-



clusive, provided that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

\* \* \*

On motion of Mr. London of New London the House concurred in the Senate amendment.

Mrs. Brown of Sandwich spoke in favor of the motion.

Mr. Bushey of Northumberland demanded the Yeas and Nays and the roll was called as follows:

Yeas — 215

COOS COUNTY: Dubey, Fortier, Desilets, Connoly, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Marsh, Nash, Graham, Sherman, Shute, Fogg, Arsenault, Brooks, Stinson.

ROCKINGHAM COUNTY: White of Atkinson, Vey, Persson, Underwood, Cummings, Gay, Kimball of Derry, Scott, Casassa, Clark of Kingston, McDonough, Cheney, Carter, Keefe, McEachern, Stafford of Portsmouth, Sadler, Dame, Osborn, Cavalieri, Frink, Young, Peever, Felch, Herbert.

STRAFFORD COUNTY: Berry, Blanchette, Nelson, Grimes, Hemon, Colbath, Richardson, Crouch, Drew, Canney, Clark of Lee, Adams of Madbury, Moulton, Marsan, Dumont of Rochester, St. Pierre, Johnson of Rochester, Varney, Maloomian, Hebert, Vincent, Bennett of Strafford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, LaCaillade, Harkins, Head, Hayner, O'Shan, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Taylor of Effingham, Diffenderfer, Brown of Sandwich, Remick, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro, Claffin.

MERRIMACK COUNTY: Guilbeault, Phelps, Morse, Asby, LaFlamme, Upton, Henry, Dame of Concord, Bingham, Andersen of Concord, Sanders, Maxham, Newell of Concord, Stevens, Kelley of Franklin, Doon, Lafond, Reddy, Brown of Loudon, London, Thompson of Northfield, Robinson, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Van Loan, Farwell, Whitney, Brocklebank, Legallee, Ainley, Feldman, Lang, Kimball of

Manchester, Mahony of Manchester, ward 2, Mahoney of Manchester, ward 4, McDermott, Walsh, LaFrance, LeClerc, Martel, Tessier, Champagne, Delisle, Wade, O'Gara, Kearns, Capistran, Allard of Manchester, Lesmerises, Gamache, Thibault, Maynard, Pappagianis, Chartrain, Bouley, Latour, Sabliski, Todd, Garland, Peabody, Peterson, Eastman of Weare.

CHESHIRE COUNTY: Totman, O'Neil, Gowing, Watkinson, Turner, Keating, Pollock, Belletete, Heald of Keene, Faulkner, Russell, Oliver, Forbes, Bennett of Richmond, Hackler, Abare, Ballam, Smith of Walpole, Wildey, Sawyer.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Cann, Gaffney, Campbell, Nahil, Barrows, D'Amante, Guest, Weber, Marx, Downing, Spanos, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Plumer, Willey, Bowles, Morse, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, McMeekin, Hampson, Adams, Beard, Demers, Lewis, Whipple, McGee, Brummer, Allard of Littleton, Martin of Littleton, Cushman, Smith of Plymouth, Barney, Anderson of Warren, Bean, Berringer.

Nays — 89

COOS COUNTY: Bushey.

ROCKINGHAM COUNTY: Griffin, Eastman of Exeter, Wheeler, Wylie, Spollett, Shindledecker, Merrill, Palmer of Kensington, Sewall, Twardus, Pinkham, Palmer of Plaistow, Schwaner, Murch, Chandler, White of Portsmouth, Legasse, Greene of Rye, Canty, Grant, Morrill, Morrison, Stickney.

STRAFFORD COUNTY: Littlehale, Dawson.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Fairbanks, Hanson, Hutchinson, MacDonald, Welch, McKay, Gilman, Charland.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Wiggin, Barnard, Bartlett, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Claveau, Gallagher, Provencal, Warren, Pettigrew, Soucy, Conover, Geisel, Clancy of Manchester, Ward 5, Manning, Casey, Doherty, Healy, Moran, Boettcher, Belanger,

Bergeron, Hurley, Noel, Nalette, Rousseau, Tremblay of Manchester, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cole, Cooper, Dionne of Nashua, Ward 2, Sullivan, Dionne of Nashua, Ward 6, Boisvert, Mason, Bissonnette, Dubois, Desmarais of Nashua, Karnis, Rice, Heald of Wilton.

CHESHIRE COUNTY: Stearns, Cournoyer, Desmarais of Jaffrey, Pratt, Bennett of Keene, Allen of Rindge.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Kelley of Littleton.

and the motion was adopted.

### Reconsideration

Mr. Capistran of Manchester moved that the House reconsider its vote whereby it passed HB 357, establishing a charter for the city of Manchester, and spoke against the motion.

The motion was not adopted.

Mr. London of New London moved that the House reconsider its vote on HB 249, relative to the taking of wild black bear, and spoke in favor of the motion.

The motion was adopted.

Mr. London of New London moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Mr. Welch of Concord, Mrs. Nettleton of Groveton and Mr. Vashaw of Berlin as conferees on the part of the House.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 114, relative to financing of park operations developed between legislative sessions

SB 11, relative to a program of increased improvement of the state primary and secondary highway systems

SB 24, relating to the location of advance railroad crossing signs

SB 25, relating to the protection of railroad crossings

SB 60, relative to highway use permits for operation of certain vehicles not registered in this state

SB 126, relative to beauty parlors

SB 129, relative to the jurisdiction of probate courts.

SB 55, to increase the interest and dividends tax exemption.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 129, relative to the jurisdiction of probate courts, to Judiciary.

SB 55, to increase the interest and dividends tax, to Judiciary.

SB 114, relative to financing of park operations developed between legislative sessions, to Appropriations.

SB 11, relative to a program of increased improvement of the state primary and secondary highway systems, to Public Works.

SB 24, relating to the location of advance railroad crossing signs, to Transportation.

SB 25, relating to the protection of railroad crossings, to Transportation.

SB 60, relative to highway use permits for operation of certain vehicles not registered in this state, to Transportation.

SB 126, relative to beauty parlors, to Public Health.

(Mr. McMeekin of Haverhill in the Chair)

### **Committee Reports**

SB 130, relative to cost of vaccinating infected animals, Mr. Adams of Madbury for Agriculture. Ought to pass.

The bill was ordered to a third reading.

SB 33, to provide additional industrial agents, Mrs. Taylor of Whitefield for Appropriations. Ought to pass with amendment.

**Amendment to SB 33**

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Senior Industrial Agents. Amend RSA 12-A by inserting after section 12 the following new sections: 12-A:13 Northern County Industrial Agent. A special position shall be provided in the industrial development section of the division of economic development of the New Hampshire department of resources and economic development known as senior industrial agent for the counties of Coos, Grafton and Carroll. The job classification and description of such senior industrial agent shall be identified to that now in force in the department of personnel for senior industrial agent. Such person shall be appointed by the governor and council and shall from time to time file a written report with them concerning his activities. He shall be trained in the department of resources and economic development, under the supervision of the commissioner of said department. He shall maintain his residence in one of said three counties and his duties shall be primarily, but not limited to, assisting the political sub-division of the state, regional development organizations or groups, and individuals to maintain and expand existing industries and to encourage, assist, and aid new industries to establish operations in said three counties, and his efforts shall be directed to the economic development of the three counties of Coos, Grafton, and Carroll.

12-A:14 Industrial Agent for Areas of Unemployment. There shall be a senior industrial agent in the division of economic development of the New Hampshire department of resources and economic development in addition to the industrial agent provided for by section 13 of this chapter and any other industrial agents now employed by the department. He shall be appointed by the governor and council in accordance with and subject to the general statutes of the state. His primary duty, however, shall consist of aiding and working in those areas of the state which have the most continuous and excessive unemployment or such other areas which, by geographic location or the possession of other labor potentials are capable of benefiting through further industrial expansion.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 563, for the establishment of authorized regional enrollment (AREA) schools and creating the New Hampshire school building authority, Mr. Pappagianis of Nashua for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 563**

Amend section 5 by striking out the words "ten thousand" in the fourth line and inserting in place thereof the words, twenty-five hundred, so that section will read as follows:

5 Appropriation. There is hereby appropriated for the purposes of RSA 195-B and the expenses of the New Hampshire school building authority for the fiscal year ending June 30, 1965, the sum of twenty-five hundred dollars and the governor is hereby authorized to draw his warrant for said sum upon any monies in the treasury not otherwise appropriated.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 608, providing compensation for persons damaged by limitations on signs on interstate highways, Mr. Gove of Concord for Appropriations. Ought to pass.

The bill was ordered to a third reading.

HB 588, authorizing training of auxiliary state police, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 588**

Amend section 1 of said bill by striking out RSA 106-B:22 as inserted by said section 1 and as amended so that said section RSA 106-B:22 shall read as follows:

106-B:22 Compensation. Provided that funds are specifically appropriated for the purpose, all member of the auxiliary force shall be compensated for their services while actively engaged in the performance of their official duties at rates as fixed by the director of personnel.

Further amend said bill by striking out section 2 and renumbering section 3 to read section 2.

\* \* \*

The Clerk read the amendment.

The amendment was adopted and the bill was ordered to a third reading.

HJR 40, in favor of Earl Hill of Pittsfield, Mr. Goode of Manchester for Appropriations. Ought to pass with amendment.

### Amendment to HJR 40

Amend said resolution by striking out the words "fifteen hundred" in the first line and inserting in place thereof the words, five hundred, so that said resolution reads as follows:

That the sum of five hundred dollars is hereby appropriated to reimburse Earl Hill of Pittsfield for damages to his car and injuries to himself on account of an accident which occurred on May 27, 1963. Said accident was caused by disrepair of a state highway. The sum hereby appropriated shall be in full settlement of said claim and shall be a charge upon the highway fund.

\* \* \*

The Clerk read the amendment.

The amendment was adopted and the resolution was ordered to a third reading.

HJR 3, providing an appropriation toward reconstruction of Fort at Number Four, Mr. Belcourt of Nashua for Appropriations. Be referred to the Governor and Council for consideration under RSA 216-A:3 (suppl) as amended.

The recommendation of the committee was adopted.

HB 606, relating to mosquito control, Mr. Ring of Hampton for Appropriations. Ought to pass.

The bill was ordered to a third reading.

SB 135, relative to state aid for school construction, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

Mr. Herbert of Windham moved that the words, Ought to pass, be substituted for the words, Inexpedient to legislate, and spoke in favor of the motion.

Mrs. Brown of Sandwich spoke against the motion.

Mr. O'Neil of Chesterfield explained the report of the committee and spoke against the motion.

(discussion ensued)

Mr. Bolduc of Belmont, Mrs. Schwaner of Plaistow and Mr. Kimball of Derry spoke in favor of the motion.

Mr. Ferguson of Milford moved that SB 135 be indefinitely postponed.

Miss Spollett of Hampstead spoke against the motion.

(discussion ensued)

Miss Whipple of Lebanon spoke in favor of the motion.

Mrs. Brown of Sandwich spoke in favor of the motion.

Mr. Underwood of Chester and Mr. Taft of Greenville spoke in favor of the motion.

### Point of Information

Mrs. Greene of Rye rose on a point of information.

Mr. Low of Hanover moved the previous question and it was sufficiently seconded. The motion was adopted.

The question now being on the motion that SB 135 be indefinitely postponed.

On a *viva voce* vote the Chair was in doubt and requested a division.

The division vote being manifestly in the affirmative the motion to indefinitely postpone SB 135 was adopted.

(Speaker in the Chair)

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 653, making appropriations for capital improvements long term repairs and deferred maintenance for the state of New Hampshire



**Amendment to HB 653**

Amend section 1 of the bill, in the paragraph "Appropriation" by striking out the words "The sum of eight million three hundred forty nine thousand six hundred fifty dollars" and inserting in place thereof the words, The sum of eight million three hundred forty one thousand one hundred fifty dollars; so that said paragraph as amended shall read as follows:

1 Appropriation. The sum of eight million three hundred forty one thousand one hundred fifty dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Further amend section 1 of the bill, paragraph IV, Department of health and welfare: in the subsection, State hospital: by striking out the words and figures, "New switchboard Twitchell building \$8,500.". Further amend said subsection by striking out the total therefor, "Total 76,739" and inserting in place thereof, Total 68,239.

Further amend the paragraph IV. Department of health and welfare: by striking out at the end thereof the words and figures, "Total 515,839" and inserting in place thereof, Total 507,339.

Further amend section 1 of said bill by striking out at the end of said section, the words and figures, "Total \$8,349,650" and inserting in place thereof, Total \$8,341,150.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following:

3 Deferred Maintenance. The sum of one hundred eighty-five thousand one hundred dollars is hereby appropriated for deferred maintenance for the agencies and institutions, as follows:

Keene teachers college:

Fiske building—toilet facilities; Monadnock

Hall—steam line and main entrance;

Library—steam lines; Kappa House—  
electrical repairs

\$23,250

Plymouth teachers college:	
Rounds Hall—interior painting and replacing treads on stairs; Silver Hall—interior painting; Grounds—repairs to tennis courts etc.; Electrifying clock	20,500
Laconia State School:	
Repairs and replacements at Murphy, Keyes, Blood and Quinby buildings; Speare and Rice cottages; Marshall House; Brown farm; Sanborn colony; dairy barn; piggery; boiler house and sewerage system	60,000
State sanatorium:	
Painting exterior of infirmary	10,000
State hospital:	
Repairs, Londergan Hall, Laundry, power plant and hospital grounds	40,000
Industrial school:	
Roof repairs; replacing radiator valves and traps; increasing electrical entrances in size; retubing one boiler; replacing portion of underground steam line	24,050
Division of economic development:	
Repair of Eastern States building	7,300
Total	<hr/> \$185,100

Amend section 7 of the bill by striking out said section and inserting in place thereof the following:

7 Borrowing Power. To provide funds for the appropriations made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of eight million three hundred forty-one thousand one hundred fifty dollars (\$8,341,150); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of four million three hundred thirty-four thousand eight hundred eleven dollars (\$4,334,811); and to provide funds for the appropriation made in section 3 hereof not exceeding the sum of one hundred eighty-five thousand one hundred dollars (\$185, 100); and for said purposes may issue bonds and notes in the name and

on behalf of the State of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds and notes shall be paid as follows: bonds and notes issued to provide funds for the appropriations made in section 1 shall be paid within a period of twenty years; bonds and notes issued to provide funds for the appropriations made in section 2 shall be paid within a period of thirty years; and bonds or notes issued to provide funds for appropriations made in section 3 shall be paid within a period of ten years. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Further amend said bill by striking out section 11 and increasing in place thereof the following:

11 Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on short term loans exceed the following sums: (1) not exceeding the sum of eight million three hundred forty-one thousand one hundred fifty dollars for borrowing to provide funds for the purposes of section 1; (2) not exceeding the sum of four million three hundred thirty-four thousand eight hundred eleven dollars for borrowing to provide funds for the purposes of section 2; and (3) not exceeding the sum of one hundred eighty-five thousand one hundred dollars for borrowing to provide funds for the purpose of section 3.

\* \* \*

On motion of Mr. Goode of Manchester, reading of the amendment was dispensed with.

Mr. Goode of Manchester moved that the House non-concur in the Senate amendments and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs Goode of Manchester, Gove of Concord and Pappagianis of Nashua as conferees on the part of the House.

**Committee Reports (cont.)**

HB 461, relative to school attendance, Mrs. Demers of Lebanon for Education. Inexpedient to legislate.

The resolution was adopted.

SB 134, relative to retirement benefits for officials and employees of the regional association, Mr. Lamprey of Tuftonboro for Executive Departments and Administration. Ought to pass.

Mr. Low of Hanover offered the following amendment and moved its adoption.

**Amendment to SB 134**

Amend said bill by inserting after section 1 the following new section:

2 New Hampshire Municipal Association. Amend RSA 100 by inserting after section 48 as inserted by section 1 of this bill the following new subdivision:

Employees of New Hampshire Municipal Association

100:49 Participation Authorized. The New Hampshire Municipal Association may, by resolution legally adopted, in form approved by the board of trustees of the state employees' retirement system, elect to have its officers and employees become eligible to participate in the state employees' retirement system. After such election, said Municipal Association shall be known as an employer for the purposes of this chapter. The board of trustees of the state employees' retirement system shall set a date when the participation of the officers and employees of said association shall become effective, and then such officers and employees may become members of the state employees' retirement system and participate therein.

100:50 Membership Requirements. Membership in the state employees' retirement system shall be optional for the officers and employees of said Municipal Association who are in its service on the date when participation becomes effective and any such officer or employee who elects to join such system shall be entitled to a prior service certificate covering such periods of previous service rendered to such Municipal Association or the state for which such Municipal Association is willing to make accrued liability contributions. Membership shall be compulsory

for all employees entering the service of such municipal association after the date participation becomes effective.

100:51 Reports. The chief fiscal officer of such Municipal Association shall submit to the board of trustees such information and shall cause to be performed, with respect to the employees of such Municipal Association who are members of said retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the provision hereof.

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

On motion of Mr. Low of Hanover the rules of the House were so far suspended as to dispense with reading of the amendment. Mr. Low explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

SB 52, relative to firemen's retirement system, Mr. McMee-kin of Haverhill for Executive Departments and Administration. Ought to pass.

The bill was referred to Appropriations under the Rules.

SB 136, relative to retirement benefits, Mr. Stafford of Laconia for Executive Departments and Administration. Inexpedient to legislate.

The resolution was adopted.

SB 97, relating to the operating of business on Sundays, Mr. Wildey of Westmoreland for Judiciary. Refer to the Legislative Council.

Mr. Maloomian of Somersworth moved that the words, Ought to pass, be substituted for the words, Refer to the Legislative Council, and spoke in favor of the motion.

Mr. Stafford of Laconia and Mr. Cobleigh of Nashua spoke against the motion.

Mr. Merrill of Hampton Falls moved that SB 97 be indefinitely postponed.

Mr. Maloomian of Somersworth spoke against the motion.

Mr. Geisel of Manchester spoke against the motion.

Mr. Upton of Concord spoke against the motion and in favor of the committee report.

Mr. Sherman of Lancaster moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on the motion to indefinitely postpone.

The motion was not adopted.

The question now being on the motion that the words, Ought to pass, be substituted for the words, Refer to the Legislative Council.

The motion was not adopted.

The question now being on the report of the committee to refer to the Legislative Council.

The motion was adopted.

Messrs Peterson of Peterborough and Pappagianis of Nashua offered the following Concurrent Resolutions:

**Concurrent Resolution**  
relating to  
**Final Adjournment**

Whereas, it appears that all necessary legislative work may be accomplished by Saturday, June 29, 1963, therefor be it

Resolved, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Saturday, June 29 next, at 3:00 o'clock in the afternoon, and be it further

Resolved, that on that date, all reports, bills and joint resolutions, with the exception of those such as have been referred to special committees or the next legislature, be indefinitely postponed.

\* \* \*

The resolutions were adopted.

Messrs Peterson of Peterborough and Pappagianis of Nashua offered the following Resolution:

### Resolution

Resolved, by the House of Representatives that in order to expedite the final adjournment of the General Court no original Senate Bills which have not previously been sent to the House for consideration shall be received by the House after 3:00 o'clock in the afternoon on Thursday, June 27, 1963.

The resolution was adopted.

(Mr. McMeekin of Haverhill in the Chair)

### Senate Message

The Senate message announced that the Senate has passed a bill with the following title in the passage of which it asks the concurrence of the House of Representatives:

S.B. 139, prescribing standards in connection with sweepstakes races and authorizing payment of taxes under protest.

### Introduction of a Senate Bill

SB 139, prescribing standards in connection with sweepstakes races and authorizing payment of taxes under protest, was read a first and second time and referred to Judiciary.

Mr. Pappagianis of Nashua moved that the rules of the House be so far suspended as to vacate reference to committee on SB 139 and that the bill be acted on at the present time.

Mr. Pappagianis spoke in favor of the motion.

(discussion ensued)

Mr. Lamprey of Moultonborough spoke against the motion.

Mr. Pappagianis of Nashua spoke a second time in favor of the motion.

### Personal Privilege

Mr. Mahoney of Manchester rose on a point of personal privilege.

Mr. Peterson of Peterborough spoke against the motion.

(discussion ensued)

Mr. Taft of Greenville spoke against the motion.

(discussion ensued)

Mr. Feldman of Manchester spoke in favor of the motion.

(discussion ensued)

The question being on the motion to suspend the rules to vacate committee reference on SB 139 and that the bill be acted on at the present time.

Mr. Sherman of Lancaster requested a division.

130 members having voted in the affirmative and 179 in the negative the motion was lost.

Mr. Plourde of Pembroke demanded the Yeas and Nays and the roll was called as follows:

Yeas — 132

MERRIMACK COUNTY: Guilbeault, Phelps, LaFlamme, York, Welch, Gilman, Doon, LaFond, Plourde.

HILLSEBOROUGH COUNTY: Farwell, Whitney, Barnard, Bartlett, Claveau, Gallagher, Provencal, Feldman, Conover, Geisel, Mahony of Manchester, Ward 2, Bruton, Dion of Manchester, Hayes, Cullity, Mahoney of Manchester, Ward 4, McDermott, Clancy of Manchester, Ward 5, Manning, Walsh, Casey, Clancy of Manchester, Ward 6, Doherty, Healy, O'Conner, LaFrance, Leclerc, Martel, Tessier, Bernier, Champagne, Delisle, Moran, O'Gara, Bergeron, Kearns, Hurley, Kendrigan, Noel, Capistran, Nalette, Rousseau, Gamache, Grady, Cole, Dionne of Nashua, Ward 2, Thibault, Belcourt, Sullivan, Maynard, Pappagianis, Dionne of Nashua, Ward 6, Marcoux, Boisvert, Chartrain, Mason, Bissonnette, Bouley, Dubois, LaTour, Lavallee, Sabliski, Desmarais of Nashua, Dumais, Peabody.

CHESHIRE COUNTY: Cournoyer, Desmarais of Jaffrey, Keating, Belletete, Russell, Forbes, Bouvier, Abare.

SULLIVAN COUNTY: Cann, Gaffney, Nahil, Barrows, D'Amante, Bailey, Downing, Spanos.

GRAFTON COUNTY: Bowles, Morse, Larty, Demers, McGee, Brummer, Cushman.

COOS COUNTY: Dubey, Fortier, Desilets, Sheridan, Dumont of Berlin, Vashaw, Bouchard, Fontaine, Gagnon, Bushey, Arsenault, Stinson.



ROCKINGHAM COUNTY: Palmer of Kensington, Sewall, Twardus, Keefe, McEachern, Sadler, Cavalieri. Coussole.

STRAFFORD COUNTY: Blanchette, Nelson, Grimes, Hartigan, Dumont of Rochester, Rubins, Beaudoin, St. Pierre, Malloomian, Cormier, Hebert, Vincent.

BELKNAP COUNTY: Bolduc, Harkins, Normandin.

CARROLL COUNTY: None.

### Nays — 207

MERRIMACK COUNTY: Fairbanks, Hanson, Moore, Asby, Hutchinson, Upton, Henry, Dame of Concord, Bingham, Andersen of Concord, MacDonald, Sanders, Ferguson of Concord, Gove, Maxham, Newell of Concord, Rufo, McKay, Stevens, Kelley of Franklin, Charland, Reddy, Brown of Loudon, London, Thompson of Northfield, Tarrant, Bigelow, Thompson of Wilmot.

HILLSBOROUGH COUNTY: Bragdon, Edwards, Van Loan, Wiggin, Hambleton, Martin of Goffstown, Davis of Greenfield, Taft, Eaton, Brocklebank, Legallee, Warren, Ainley, Lang, Pettigrew, Goode, Boettcher, Belanger, Allard of Manchester, Lesmerises, Tromblay of Manchester, Carter of Milford, Ferguson of Milford, Hayward of Milford, Cobleigh, Cooper, Underhill, Todd, Karnis, Garland, Peterson, Rice, Eastman of Weare, Heald of Wilton.

CHESHIRE COUNTY: Totman, O'Neil, Turner, Stearns, Pollock, Heald of Keene, Bennett of Keene, Faulkner, Bennett of Richmond, Hackler, Ballam, Smith of Walpole, Wildey, Sawyer, Allen.

SULLIVAN COUNTY: Adams of Charlestown, Frizzell, Angus, Campbell, Guest, Weber, Hood, Merrifield.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Plumer, Nettleton, Hayward of Hanover, Johnson of Hanover, Low, McMeekin, Hampson, Adams, Beard, Lewis, Whipple, Allard of Littleton, Kelley of Littleton, Martin of Littleton, Bell, Smith of Plymouth, Barney, Anderson of Warren, Bean, Berringer.

COOS COUNTY: Connolly, Marsh, Nash, Sherman, Shute, Fogg, Brooks, Taylor of Whitefield.

ROCKINGHAM COUNTY: White of Atkinson, Griffin, Vey, Persson, Underwood, Cummings, Watts, Gay, Kimball of Derry, Scott, Hackett, Collishaw, Eastman of Exeter, Wylie, Weeks, Spollett, Casassa, Ring, Shindledecker, Merrill, Clark of Kingston, Shepard, McDonough, Cheney, Carter, Pinkham, Palmer of Plaistow, Schwaner, Murch, Stafford of Portsmouth; Osborn, White of Portsmouth, Frink, Legassee, Langford, Greene of Rye, Young, Canty, Grant, Morrill, Morrison, Peever, Stickney, Felch, Barker, Herbert.

STRAFFORD COUNTY: Berry, Fellows, Colbath, Richardson, Crouch, Littlehale, Drew, Canney, Clark of Lee, Adams of Madbury, Dawson, Moulton, Marsan, Chase, Johnson of Rochester, Varney, Bennett of Strafford.

BELKNAP COUNTY: McAllister, Matheson, Goodhue, La-caillade, Head, Prescott, Hayner, Stafford of Laconia, Varrell, Allan of Meredith, Urie, Joslyn, Howe.

CARROLL COUNTY: Howard, Hughes, Davis of Conway, Hill, Roberts, Taylor of Effingham, Blake, Diffenderfer, Brown of Sandwich, Remick, Lamprey of Tuftonboro, Fox, Chamberlain of Wolfeboro, Claffin.

and the motion was lost.

### Recess

### After Recess

### Notice of Reconsideration

Mr. Kelley of Littleton served notice that today or some subsequent day he would ask the House to reconsider its vote on HB 402.

### Committee Reports (cont)

SB 101, relating to interest from date of writ in certain cases, Mr. Capistran of Manchester for Judiciary. Ought to pass.

The bill was ordered to a third reading.

SB 107, relating to the unlawful practice of professional engineering, Mr. Healy of Manchester for Judiciary. Ought to pass.

The bill was ordered to a third reading.

HB 641, relative to business corporation law, Mr. Spanos for Judiciary. Ought to pass with amendment.

### **Amendment to HB 641**

Amend said bill by striking out section 2, 3 and second 3 and inserting in place thereof the following:

2 Capital Stock. Amend RSA 294 by inserting after section 28 the following new sections: 294:28-a Filing Required. Upon redemption of its own shares of stock a corporation shall file with the secretary of state an appropriate amendment recording the change in outstanding shares. The fee for recording such amendment shall be the same as provided for recording an amendment under section 46. 294:28-b Agreements. Every corporation organized under the provisions of this chapter shall have the power to enter into an agreement or agreements with any of its stockholders providing for the purchase or redemption of any or all of the shares of such stockholder or stockholders upon the terms and conditions and for the price set forth in such agreement. Every such agreement between a corporation and its stockholders shall be authorized or ratified on behalf of the corporation by a majority of its directors or such greater number as may be required by the articles of agreement or by-laws of the corporation. Any such agreement shall be subject to the provisions of section 28, 28-a and 101. Notwithstanding the provisions of sections 5, 26 and 29 an agreement between a corporation and its stockholders entered into under the provisions of this section shall not be required to be a part of the articles of agreement, the record of organization or by-laws of the corporation and shall not be required to be filed with the record of organization in the office of the secretary of state. Every agreement in effect as of the passage of this act which is an agreement such as is described in this section shall be valid without further act by the corporation or its stockholders.

3 Voting Rights. Amend RSA 294:52 by striking out said section and inserting in place thereof the following: 294:52 Terms. Each certificate of stock which is limited as to its voting rights, or which is preferred as to its dividends, or as to its share of the principal upon dissolution, or is otherwise qualified or restricted, or is subject to a repurchase or redemption agreement by the corporation, shall bear thereon a summary of such limitation, terms of preference, qualification, restriction or repurchase

and a reference to the clause in the Articles of Agreement or votes authorizing or establishing the same.

4 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

SB 110, authorizing insurance companies to join together to offer to senior citizens of New Hampshire health insurance against major financial loss, Mr. Wheeler of Exeter for Insurance. Ought to pass.

The bill was ordered to a third reading.

SB 116, relative to fees for insurance companies and brokers, Mr. Wheeler of Exeter for Banks and Insurance. Ought to pass with amendment.

#### Amendment to SB 116

Amend said bill by inserting after section 2 the following new section 3 Revenue. Amend RSA 402 by inserting after section 56 the following new section: 402:56-a Disposition of Revenue. The fees collected under the preceding shall be kept in a special fund by the state treasurer, and shall be expended for the administration of this chapter. Expenditures shall be in the discretion of the insurance commissioner, and the monies hereby made available shall be in addition to any other appropriation made for the insurance department.

Further amend said bill by renumbering section 3 to read section 4.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 647, relating to life insurance limits in loans for educational purposes, Mr. Wheeler of Exeter for Insurance. Ought to pass.

The bill was ordered to a third reading.

HB 589, relative to group insurance, Mr. Wheeler of Exeter for Insurance. Ought to pass.

Mr. Varney of Rochester spoke against the report.

Mr. Wheeler of Exeter spoke in favor of the report.

Mr. Varney of Rochester spoke a second time against the report.

The bill was ordered to a third reading.

HB 113, relative to employing of minors, Mr. Marsan of Rochester for Liquor Laws. Ought to pass.

The bill was ordered to a third reading.

HB 622, relative to private water supplies, Mr. Taft of Greenville for Public Works. Ought to pass with amendment.

### **Amendment to HB 622**

Amend paragraph I of section 1 by striking out said paragraph and inserting in place thereof the following:

I. Upon determination that there is state responsibility the Commissioner; with due notice given, may authorize the use of highway funds to:

- (a) replace or repair the damage to such water supplies, or
- (b) pay damage in lieu of replacement on repair, or
- (c) purchase real property in lieu of replacement or repair,  
or
- (d) enter into agreements with water departments or governmental units to assist in extending water line or establishing new water systems.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

HB 649, relative to construction of an access road to Ragged Mountain in the town of Danbury, Mr. Moore of Bradford for Public Works. Ought to pass with amendment.

### **Amendment to HB 649**

Amend section 3 of the bill by striking out the word "maintain" and inserting in place thereof the word, built, and by striking out the figure II and inserting in place thereof the figure, V, so that said section as amended shall read as follows:

3. Classification. Said access road shall be classified and built by the Department of Public Works and Highways as a class V highway.

\* \* \*

The amendment was adopted.

Mr. Edwards of Antrim offered the following amendment to the amendment and moved its adoption.

#### Amendment to Amendment HB 649

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. Appropriation. The sum of twenty-five thousand dollars may be transferred from the appropriation provided in 1961, 263:5 to the construction and reconstruction appropriations of the department of public works and highways for the fiscal years ending June 30, 1964 and June 30, 1965 and said sums may be expended by the commissioner of said department for the purposes of carrying out the provisions of section 1 of this act.

\* \* \*

The amendment was adopted and the bill was referred to Appropriations under the Rules.

SB 125, relative to laying out highways, Mr. Fox of Wakefield for Public Works. Ought to pass.

The bill was ordered to a third reading.

SB 69, relative to timber yield tax, Mr. Casassa of Hampton for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

SB 77, to clarify the status of passenger tramway divides, Mr. Casassa of Hampton for Resources, Recreation and Development. Ought to pass.

The bill was ordered to a third reading.

SB 103, adopting the bus taxation proration and reciprocity agreement, Mr. Clafin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

SB 46, relative to motor vehicle road tolls, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

At the request of Mr. Hackler of Swanzey Mr. Claflin of Wolfeboro explained the bill.

The bill was ordered to a third reading.

SB 98, regulating the issuance of motor vehicle dealer plates, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

At the request of Mr. Stafford of Laconia, Mr. Claflin of Wolfeboro explained the bill.

(discussion ensued)

Mr. Stafford of Laconia spoke against the bill.

Mr. Kimball of Manchester and Mr. McGee of Lincoln spoke in favor of the bill.

The bill was ordered to a third reading.

Mr. Stafford of Laconia was recorded as voting against the bill.

SB 109, adopting the compact on taxation of motor fuels consumed by interstate buses, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

Mr. Claflin of Wolfeboro explained the bill.

(discussion ensued)

Mr. Belanger of Manchester moved that SB 109 be laid on the table.

The motion was not adopted.

The bill was ordered to a third reading.

SB 131, relative to the use of transporter plates, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

### Senate Message

The Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 140, An act relative to increasing the trustees of Pinkerton Academy.

### Introduction of a Senate Bill

SB 140, relative to increasing the trustees of Pinkerton Academy, was read a first and second time and referred to Education.

### Reconsideration

Mr. Stafford of Laconia, having voted with the majority, moved that the House reconsider SB 136, relative to retirement benefits.

The motion was lost.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report to be introduced without two days notice in the Journal.

SB 52, relative to firemen's retirement system, Mr. Goode of Manchester for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report to be introduced without two days notice in the Journal.

SB 108, relative to the application of federal funds for civil defense, Mr. Prescott of Laconia for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report to be introduced without being advertised in the Journal for two days.

SB 118, relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach, Mr. Ring of Hampton for Appropriations. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report



to be introduced without being advertised in the Journal for two days.

SJR 11, in favor of the New Hampshire Savings Bank and the SPD Realty Corporation, ought to pass. Mr. Goode of Manchester for Appropriations.

The Senate Joint Resolution was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report to be introduced without being advertised in the Journal for two days.

HB 596, adopting the Uniform Narcotic Drug Act, Mrs. Hartigan of Rochester for Appropriations. Ought to pass with amendment.

#### **Amendment to HB 596**

Amend by striking out the title and inserting in place thereof the following new title:

An Act adopting the uniform narcotic drug act and relating to the pharmacy commission.

Further amend paragraph III of RSA 318-A:8 as inserted by section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

III. If the division of public health services shall find after due notice and opportunity for hearing, that any exempt pharmaceutical preparation does possess a degree of addiction liability that results in material abusive use, it shall by regulation publish the findings in a newspaper of general circulation in the state. The findings shall be effective, and the exempt status shall cease to apply to such pharmaceutical preparation six months after the date of the publication of the findings.

Further amend paragraph I of section 2 of said bill by striking out the same and inserting in place thereof the following:

I. RSA 318:48, 49, 50, 51, 53, and 54, relative to the manufacture and sale of narcotic drugs, are hereby repealed.

Further amend by striking out all sections after section 2 and inserting the following new sections:

3 Appropriations. There is hereby appropriated for the purposes of this chapter the sum of five thousand dollars for the fiscal year ending June 30, 1964, and a like sum for the fiscal year ending June 30, 1965, and the governor is hereby authorized to draw his warrant for such sums out of any monies in the treasury not otherwise appropriated.

4 Pharmacy Commission. In addition to any other funds appropriated for the use of the pharmacy commission for the period from July 1, 1963 to January 1, 1964, there is hereby appropriated, from the general funds of the state, the sum of \$2,500 to be allocated to the several categories of expenditure as requested by the pharmacy commission and approval by the governor.

5 Takes Effect. This act shall take effect as of July 1, 1963.

\* \* \*

On motion of Mr. Keough of Gorham, reading of the amendment was dispensed with.

Mr. Keough explained the amendments.

The amendments were adopted and the bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report to be introduced without being advertised in the Journal for two days.

SB 61, relative to credit unions. Mr. Hambleton of Goffstown for Banks. Ought to pass with amendment.

#### Amendment to SB 61

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. Real Estate Mortgages. Amend RSA 394:17 (supp) as amended by 1955, 213:1 and 1959, 88:1, by striking out said section and inserting in place thereof the following: 394:17 Use of Funds. While awaiting calls of its members for loans, it may deposit its money in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in this state, or, by ma-

jority vote of the board of directors in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in New England or, with like vote, may make loans to other credit Unions chartered under the laws of this state or under the federal credit union act, provided that the lending credit union has assets of one hundred thousand dollars or more. It may invest any surplus funds in obligations of the United States government or of the state, or of any county, city or town of the state, issued pursuant to authority of law. Any credit union with assets of two million dollars or more may purchase real estate mortgages wherever situate which are guaranteed by the federal housing administration.

Amend section 6 of said bill by striking out the same and inserting in place thereof the following:

6. Real Estate Purchases. Amend RSA 394:19-a (supp) as inserted by 1961, 215:1, by adding at the end thereof the words, Any purchase, mortgage, exchange or sale of real estate acquired or to be acquired for the purposes of this section shall be subject to the approval of the bank commissioner. Nothing herein shall be deemed to refer to any property, real or personal, acquired by a credit union in the normal course of its business of making secured loans, so that said section as amended shall read as follows: 394:19-a Purchase of Real Estate. Any such credit union may purchase, build, improve, hold, dispose of, mortgage, rent, lease, or exchange any property, real or personal, as follows: (a) necessary or incidental to its operation; (b) in which it occupies a portion of as office space; (c) is reasonably required for future expansion. Any purchase, mortgage, exchange or sale of real estate acquired or to be acquired for the purposes of this section shall be subject to the approval of the bank commissioner. Nothing herein shall be deemed to refer to any property, real or personal, acquired by a credit union in the normal course of its business of making secured loans.

Amend section 9 of said bill by striking out the same and inserting in place thereof the following:

9. Regulating Loans to Officials. Amend RSA 394:30 by striking out the same and inserting in place thereof the following: 395:30 Loans to Officials. Members of the board of direc-

tors, credit committee or supervisory committee may borrow from the credit union except that no such member shall borrow more than the amount of his holdings in the credit union, as represented by his total shares and deposits thereof, at any one time; provided, however, that upon election of a credit union member to one of said committees he shall be permitted to continue as a debtor of the credit union concerned as to any loans made to him prior to the date of such election, in accordance with the terms of such loan, if any; however, members of the board of directors may borrow or become surety for any loan in excess of their holdings provided such loan is approved by a majority of the members of the credit and supervisory committees.

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10. Deletes Authority of oBard of Directors. Amend RSA 394:32 (supp) as amended by 1955, 150 by striking out said section and inserting in place thereof the following: 394:32 Credit Committee. The credit committee shall hold meetings, of which due notice shall be given its members, for the purpose of considering applications for loans, and no loan shall be made unless all members of the committee who are present when the application is considered, and at least two thirds of all members of the committee approve the loan and are satisfied that it promises to benefit the borrower. The action of the credit committee in approving or disapproving a loan shall be final.

\* \* \*

On motion of Mr. Bigelow of Warner, reading of the amendment was dispensed with.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit a committee report to be introduced without being advertised in the Journal for two days.

HB 376, establishing the elevator inspection law, Mr. Shepard of Londonderry for Appropriations. Ought to pass with amendment.

**Amendment to HB 376**

Amend the bill by striking out section 2 and inserting in place thereof the following:

2. Appropriation. There is hereby appropriated the sum of five hundred dollars, for the biennium ending June 30, 1965. Any expenses in excess of \$500 may be expended with governor and council approval from fees received under the provisions of RSA 277-A:13. Said sums shall be expended by the commissioner of labor for purposes of this chapter.

\* \* \*

The Clerk read the amendment.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit the introduction of a committee report to be introduced not previously advertised in the Journal for two days.

SJR 12, making deficiency appropriation for the interim commission on education, Mr. Fellows of Dover for Appropriations. Ought to pass.

At the request of Mr. Kearns of Manchester Mr. Goode explained the SJR.

Mr. Brummer of Lisbon spoke in favor of the SJR.

Mr. Allard of Littleton moved that SJR 12 be indefinitely postponed.

Messrs. Goodhue of Gilford, Sheridan of Berlin, Geisel of Manchester and Mrs. Hartigan of Rochester spoke against the motion.

Mr. Allard withdrew his motion.

Messrs. Sherman of Lancaster, Kearns of Manchester, Stevenson of Bethlehem and Goode of Manchester spoke in favor of the Resolution.

(discussion ensued)

The Senate Joint Resolution was ordered to a third reading.

On motion of Mr. London of New London the rules of the House were so far suspended as to permit the introduction of a committee report to be introduced not previously advertised in the Journal for two days.

SB 3, permitting the hunting of deer with muzzle-loaders, Mr. London of New London for Fish and Game. Ought to pass with amendment.

### **Amendment to SB 3**

SB 3, permitting the hunting of deer with muzzle-loaders.

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1 Hunting with Muzzle-Loaders. Amend RSA 208 by inserting after 208:5 (supp) the following new section: 208:5-a Muzzle Loaders. The special license provided for by section 5 of this chapter shall entitle the holder to hunt deer with a muzzle-loading rifle or musket for one day only, said day to be designated by the director and he may change said day at his discretion, provided that no person who has not passed his eighteenth birthday shall be entitled to hunt under the provisions of this section. The fee for this privilege shall be three dollars additional for residents and four dollars additional for non-resident.

2 Hunting Deer on Islands. Amend RSA 208 by inserting after section 6 the following new section: 208:6-a Hunting on Islands by Certain Disabled Persons. Notwithstanding those provisions of section 2 of this chapter which relate to the taking of deer upon islands, the director may designate one or more islands upon which deer may be taken by paraplegics, double amputees, and other non-ambulatory persons, in accordance with this section. An eligible person desiring to take advantage of this section, and who is properly licensed under the provisions of this title to take deer, shall apply to the director at least fifteen days before the beginning of the open season for deer as prescribed in said section 2 in the area in which he desires to hunt. Upon receipt of such applications, the director shall make such provisions as, in his discretion, shall as fully as possible effectuate the purposes hereof, having regard to the deer population on said designated islands and the number of

persons desiring to hunt thereon. He may allocate sections or portions of any such island to designated applicants for specific dates, which dates shall be during the open season for taking deer; and he may revoke permits theretofore granted when deer population in any location shall have been reduced to desired limits. The director may make rules or regulations governing the conduct of persons accompanying or assisting eligibles. Permission granted hereunder shall be evidenced by a permit in a form prescribed and issued by the director.

\* \* \*

On motion of Mr. London, reading of the amendment was dispensed with.

Mr. London explained the amendment.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Dionne of Nashua the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days.

SB 115, relative to early land acquisition by Nashua Housing Authority. Mr. Dionne of Nashua for the Nashua Delegation. Ought to pass with amendment.

### **Amendment to SB 115**

Amend section 1 of the bill by striking out the words and figures, "RSA chapter 203, as amended or of" in the second and third and the eighteenth and nineteenth lines; by inserting after the word "plan" in the twentieth line the word, or; and by striking out the words "or a housing project" in the twenty-first line, so that said section as amended shall read as follows:

1. Early Land Acquisition. Notwithstanding any contrary provisions of chapter 205, as amended, the Nashua Housing Authority may, with the consent of the city of Nashua, acting by the mayor with the authorization of the board of aldermen, and after a temporary loan contract for the purpose has

been executed under the federal housing act of 1949, as amended, take, by eminent domain as set forth in RSA chapter 203:12, or acquire by purchase, lease, gift, bequest or grant, and hold, clear, repair, operate, and after having taken or acquired the same, dispose of, land constituting the whole or any part or parts of any area which, after a public hearing of which at least twenty days' notice has been given by publication in a local or area newspaper having a general circulation in the city of Nashua, it has determined to be an area necessary for its purposes under RSA 205, as amended, and for which it is preparing a redevelopment plan or an urban renewal plan, and for such purposes may borrow money from the federal government or use any available funds, or both; provided, however, that no such taking or acquisition shall be effected unless and until the expiration of thirty days after the Nashua Housing Authority has caused a notice of such determination to be published in a local or area newspaper having a general circulation in the city of Nashua. Within thirty days after publication of the notice of determination, any person aggrieved by such determination may file a petition in the superior court for a writ of certiorari against the Nashua Housing Authority to correct errors of law in such determination, which shall be the exclusive remedy for such purpose.

Amend section 2 of the bill by striking out the words and figures, "RSA 203, as amended, and" in the fifth and sixth lines, by inserting after the word "plan" in the seventh line the word, or, by inserting after the word "redevelopment" in the twelfth line the word, or, and by striking out the words "or a housing project" in the eighth and thirteenth lines, so that said section as amended shall read as follows:

2. Guarantee by City in Early Land Acquisition. If the Nashua Housing Authority proposes to take, acquire or clear land constituting the whole or part or parts of an area which the authority has determined to be an area necessary for its purposes under RSA 205, as amended, and for which the authority is preparing a redevelopment plan or an urban renewal plan, the city of Nashua may enter into an agreement with the Nashua Housing Authority to bear any loss that may arise as the result of such taking, acquisition, or clearance in the event that such land is not used for redevelopment or urban renewal.



Amend the bill by inserting after section 2 the following new section to read as follows:

3. Early Land Acquisition in Urban Renewal Area for Low Income Housing. Notwithstanding any contrary provision herein contained, the Nashua Housing Authority may acquire by eminent domain under RSA 203:12 or by purchase or otherwise under RSA 203:8 any lands within a redevelopment area or an urban renewal area which the Nashua Housing Authority requires for a housing project for persons of low income, upon approval of the redevelopment plan or urban renewal plan as required by section 1 and section 2 of this act. The area of the housing project for persons of low income is to be considered part of the redevelopment area or urban renewal area as the case may be, which plan shall provide for the reimbursement of the Nashua Housing Authority for any excess in its use value as provided under RSA 205:5 without any conditions. The Nashua Housing Authority and the city of Nashua are authorized to make guarantees as required by the Public Housing Administration.

Further amend the bill by renumbering section 3 to read section 4.

\* \* \*

The amendment was adopted and the bill was ordered to a third reading.

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 366. An act relative to a municipal court system with district courts.

### Amendment to HB 366

Amend RSA 502-A:I IV, VI and VII as inserted by section 1 of the bill by striking out the word "Hampstead" from IV and inserting the word "Hampstead" after the word "Plaistow" in VII, and by striking out the word "Atkinson" from VI and

inserting the word "Atkinson" after the word "Newton" in VII, so that said three subsections shall read as follows:

IV. Derry District. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The municipal court for the town of Derry is hereby constituted the district court in and for said district and shall be located in said Derry, holding sessions regularly therein, and elsewhere in said district as justice may require. The name of said court shall be Derry District Court.

VI. Salem District. The Salem district shall consist of the towns of Salem and Windham. The municipal court for the town of Salem is hereby constituted the district court in and for said district and shall be located in said Salem, holding sessions regularly therein, and elsewhere in said district as justice may require. The name of said court shall be Salem District Court.

VII. Plaistow District. The Plaistow district shall consist of the towns of Plaistow, Hampstead, Kingston, Newton, Atkinson and Danville. The municipal court for the town of Plaistow is hereby constituted the district court in and for said district and shall be located in said Plaistow, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Plaistow District Court.

Amend RSA 501-A:6 as inserted by section 1 of the bill by striking out the number 501-A:6 and inserting in place thereof 502-A:6, and by adding at the end of said section the following:

IV. No local governing body shall be empowered to fix the salaries of any justice, special justice or clerk at an amount less than the amount which such official has been paid in his prior capacity as justice, special justice or clerk of the municipal court which becomes a district court hereunder, plus an amount equal to the salary paid to the justice, special justice or clerk as the case may be of any municipal court in any town which by the terms of this act is included in the district court involved.

Amend RSA 502-A:11 as inserted by section 1 of the bill by adding at the end thereof the following:

Provided, however, that any town which may vote to continue its municipal court in accordance with the provisions of section 35 of this chapter shall have exclusive jurisdiction over offenses committed within the confines of that town, in accordance with the provisions of RSA 502:18, until such municipal court is subsequently abolished under the provisions of section 35 of this chapter, so that said section as amended shall read as follows:

502-A:11 Criminal Cases, District Courts. Each district court shall have the powers of a justice of the peace and quorum throughout the State and shall have original jurisdiction subject to appeal of all crimes and offenses committed within the confines of the district in which such court is located which are punishable by a fine not exceeding one thousand dollars or imprisonment not exceeding one year, or both. Provided, however, that any town which may vote to continue its municipal court in accordance with the provisions of section 35 of this chapter shall have exclusive jurisdiction over offenses committed within the confines of that town, in accordance with the provisions of RSA 502:18, until such municipal court is subsequently abolished under the provisions of section 35 of this chapter.

Amend RSA 502-A:26 as inserted by section 1 of the bill by striking out the last two lines thereof, so that said section shall read as follows:

502-A:26 Disqualifications of Justices, Etc. No justice, special justice or clerk of any district court shall be retained or employed as attorney in any action, complaint, or proceeding pending in his court, or which has been examined or tried therein. No justice shall be retained or employed as an attorney in any matter pending before any other district court. No attorney shall be permitted to practice before any district court where any justice thereof is associated with said attorney in the practice of law. No justice whose salary exceeds ten thousand dollars per year shall be permitted to engage in the practice of law.

Amend RSA 502-A:40 I as inserted by section 1 of the bill by striking out the last three lines of said section and inserting in place thereof the following:

Shall the town of ..... continue to maintain its existing municipal court so long as its present judge remains in office? [Yes ( ) No ( )], so that said subsection shall read as follows:

502-A:40 Municipal Court Abolished; Exception. All municipal courts not continued as provided for in this section are hereby abolished. If the municipal court of any town is not constituted a district court under the provisions hereinabove set forth in this chapter and such town shall desire to continue to maintain its local court, it may do so in accordance with the following procedure:

I. An article providing for the continuation of the local municipal court may be inserted in the warrant for the annual town meeting for the year 1964 or any special meeting called prior thereto for this purpose. The question shall be submitted in writing in the following form in all towns using a printed ballot.

Shall the town of ..... continue to maintain its existing municipal court so long as its present judge remains in office? [Yes ( ) No ( )]

Amend RSA 502-A as inserted by section 1 of the bill by striking out sections 502-A:20 through 24 inclusive and renumbering sections 502-A:25 through 502-A:41 to read: 502-A:20, 502-A:21, 502-A:22, 502-A:23, 502-A:24, 502-A:25, 502-A:26, 502-A:27, 502-A:28, 502-A:29, 502-A:30, 502-A:31, 502-A:32, 502-A:33, 502-A:34, 502-A:35, 502-A:36.

Amend section 5 of the bill by striking out everything after the word "courts" in line 8 thereof and substituting therefor the following:

As to any towns which continue to be served by municipal courts as permitted under RSA 502-A:40, RSA 502 and any other provisions of the revised statutes annotated pertaining to the jurisdiction, powers and duties conferred upon municipal courts shall continue in effect, except that RSA 502 (supp), sections 20, 21, 33 through 44, 49, 50 and 51 are hereby repealed, and section 18 is hereby amended by striking out the same and substituting therefor the following:

**502:18 Criminal Cases, Municipal Courts.** Municipal courts shall have the powers of the justice of the peace and

quorum throughout the state, and shall have original jurisdiction, subject to appeal, of all crimes and offenses committed within the confines of the town wherein such courts are located, which are punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both.

Amend the bill by adding the following new section 6 and renumbering section 6 to read section 7:

6 Amend RSA 597 by inserting the following new section 15-A:

597:15-A District Courts. District courts upon petition by the aldermen of any city or the selectmen of any town in the county in which the district is located may appoint three or more justices of the peace and quorum as commissioners authorized to fix and receive bail in criminal cases to be brought before said courts as hereinafter provided.

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Amend the title of HB 366 by striking out the same and inserting in place thereof the following:

An Act relative to a municipal court system with district courts.

\* \* \*

Mr. Spanos of Newport moved to dispense with the reading of the amendment.

Mr. Upton of Concord spoke in favor of the motion.

The motion was adopted.

Mr. Upton of Concord moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted, and the Chair appointed Messrs Totman of Alstead, Upton of Concord and Spanos of Newport.

Mr. Johnson of Hanover moved that the rules of the House be so far suspended as to permit the introduction of a concurrent resolution not previously advertised in the Journal, and spoke in favor of the motion.

Mr. Spanos of Newport spoke in favor of the motion.

The motion was adopted.

### Concurrent Resolution

*Concurrent Resolution* relative to the manner of amending the Federal Constitution.

*Whereas*, the House of Representatives did on Tuesday, February 26, 1963, adopt Concurrent Resolution No. 7, memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to Article V thereof; and

*Whereas*, on April 9, 1963, the Senate did adopt said Concurrent Resolution No. 7; and

*Whereas*, said Concurrent Resolution No. 7 called for a duly attested copy of the Resolution to be transmitted to the Secretary of the Senate of the United States, the clerk of the House of Representatives of the United States and to each member of the Congress from this state. Now therefore be it

*Resolved*, That the action taken by the General Court be reversed and that a copy of this Resolution be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each member of the Congress from this state.

\* \* \*

The concurrent resolution was adopted.

Mrs. Schwaner of Plaistow moved that HB 344, relating to school building aid, be taken from the Appropriations committee and that the bill be acted on at the present time, and spoke in favor of the motion.

Messrs Goode of Manchester, O'Neil of Chesterfield, Sheridan of Berlin and Pappagianis of Nashua spoke against the motion.

Mrs. Weeks of Greenland spoke against the motion.

Mrs. Schwaner spoke a second time in favor of the motion.

The motion did not prevail.

### Senate Message

The Senate message announced that the Senate has passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

SJR 14, establishing a committee to study safety on highways.

### Introduction of a Senate Joint Resolution

SJR 14, establishing a committee to study safety on highways, was read a first and second time and referred to Transportation.

### Reconsideration

Mr. Upton moved that the House reconsider its adoption of a resolution by which SB 119, providing for representative to the general court from the town of Sugar Hill, was referred to the Supreme Court and spoke in favor of the motion.

The motion prevailed.

Mr. Upton offered the following substitute resolution and moved that SB 119 and the substitute resolution be referred to the Supreme Court.

*Whereas*, it is imperative that the town of Sugar Hill obtain the answers to these questions before the next Constitutional Convention on the second Wednesday of May 1964, so that appropriate action may be taken in the event Sugar Hill is not entitled to a representative until 1970.

so that said resolution as amended shall read as follows:

### To the Honorable Supreme Court

*Whereas*, Senate Bill No. 119, An act providing for representative to the General Court from the town of Sugar Hill, is pending before the House of Representatives, and

*Whereas*, the town of Sugar Hill did not exist in 1960 so as to be included in the federal census, and

*Whereas*, the town of Sugar Hill was created by separation from the town of Lisbon and incorporated by act of the General Court of New Hampshire in 1961, and

*Whereas*, in the year of 1966 the presently entitled cities, wards and towns may elect a total of 399 representatives, and

*Whereas*, it is apparent that there is one or more inhabitants of said town so that it would be entitled to representation in at least one session in every ten years, and

*Whereas*, Senate Bill No. 119 would authorize the election of one representative in the year 1966, and

*Whereas*, questions have arisen as to the constitutionality of said act, now therefore be it

*Whereas*, it is imperative that the town of Sugar Hill obtain the answers to these questions before the next Constitutional Convention on the second Wednesday of May 1964, so that appropriate action may be taken in the event Sugar Hill is not entitled to a representative until 1970.

*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

1. Is it constitutionally competent for the General Court to authorize an election by the town of Sugar Hill for a representative in the year 1966 when there was no census of said town in 1960, under Article 9 of Part Second of the Constitution of New Hampshire?
2. Is it constitutionally competent for the General Court to authorize said election under Article 9 of Part Second of the Constitution of New Hampshire wherein it is specified — “in making such apportionment no town shall be divided”?
3. Is the presently unknown number of inhabitants of the town of Sugar Hill as bearing on the requisite number established for one representative a bar under Article II of Part Second of the Constitution of New Hampshire? Be it further

*Resolved*, That the Speaker transmit seven copies of this resolution and of Senate Bill No. 119 to the Clerk of the Supreme Court for consideration by said Court.

\* \* \*

The motion prevailed.

### Resolution

Mr. O'Shan of Laconia offered the following resolution and moved its adoption:

*Resolved*, that the Speaker appoint a committee of 5 to investigate the advisability of installing an air-conditioning system in Representatives Hall before the 1965 session of the Legislature.

\* \* \*



The resolution was adopted.

### Reconsideration

Mr. Goode of Manchester moved that the House reconsider the motion whereby SB 118, relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state owned land at Hampton Beach was passed, and that the bill be recommitted to Appropriations.

The motion prevailed.

\* \* \*

Mr. Claflin of Wolfeboro moved that the rules of the House be so far suspended as to allow public hearings without two days notice to be held on Senate bills 24, 25 & 60.

The motion prevailed.

\* \* \*

The Chair announced that today is the birthday of Mrs. Forbes of Marlow.

\* \* \*

On motion of Mrs. Schwaner of Plaistow the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Hill of Conway the rules of the House were so far suspended as to permit third reading of bills by title only, resolutions by caption only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 a.m.

### Third Readings

The following Senate bills and Senate Joint Resolutions were read a third time, passed, and sent to the Secretary of State to be engrossed:

SB 30, relative to cost of vaccinating infected animals.

SB 134, relative to retirement benefits for officials and employees of the regional association.

SB 52, relative to firemen's retirement system.

SB 101, relating to interest from date of writ in certain cases.

SB 107, relating to the unlawful practice of professional engineering.

SB 110, authorizing insurance companies to join together to offer to senior citizens of New Hampshire health insurance against major financial loss.

SB 116, relative to fees for insurance companies and brokers.

SB 113, relative to employment of minors.

SB 125, relative to laying out highways.

SB 69, relative to the timber yield tax.

SB 77, to clarify the status of passenger tramway devices.

SB 103, adopting the base taxation proration and reciprocity agreement.

SB 46, relative to motor vehicle road tolls.

SB 98, regulating the issuance of motor vehicle dealer plates.

SB 109, adopting the compact on taxation of motor fuels consumed by interstate buses.

SB 131, relative to the use of transporter plates.

SB 108, relative to the application of federal funds for civil defense.

SB 61, relative to credit unions.

SJR 11, in favor of the New Hampshire Savings Bank and the SPD realty Corporation.

SJR 12, making deficiency appropriation for the interim commission on education.

The following Senate bills were read a third time, passed, and sent to the Senate for concurrence in the House amendments.

SB 3, permitting the hunting of deer (Note: Mr. Cann of Claremont wished to be recorded as voting against SB 3.)

SB 33, to provide an industrial agent for the three northern counties.

SB 115, relative to early land acquisition by Nashua Housing Authority.

The following House bills and House Joint Resolution were read a third time, passed, and sent to the Senate for concurrence:

HB 563, for the establishment of authorized regional enrollment (AREA) schools and creating the New Hampshire school building authority.

HB 608, providing compensation for persons damaged by limitations on signs on interstate highways.

HB 588, authorizing training of auxiliary state police.

HJR 40, in favor of Earl Hill of Pittsfield.

HB 606, relating to mosquito control.

HB 641, relative to business corporation law.

HB 647, relating to life insurance limits in loans for educational purposes.

HB 589, relative to group insurance.

HB 622, relative to private water supplies.

HB 596, adopting the Uniform Narcotic Drug Act and relating to the Pharmacy Commission.

HB 376, establishing the elevator inspection law.

\* \* \*

On motion of Mrs. Potter of Northumberland the House adjourned at 10:41 P.M.

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FRIDAY, JUNE 28, 1963

The House met at 11:00 A. M.

### **Joint Convention**

Prayer was offered as follows by the Chaplain:

Almighty God, Our Father — with humble hearts we pause in the midst of these busy moments to lift our thoughts to Thee; being mindful of our responsibilities, our limitations,

and our abilities. Let Thy faithful Light of Love so shine upon us in these hours to guide and direct us in our quest for knowledge and in our search for truth. May our every decision be exercised with care, and our every action inspired by Thy presence. Endow us with the confidence of faith and the Spirit of Peace as we labor in the preservation of our liberties. Bestow Thy continual blessing upon our Governor, his Council, and the Members of this Joint Convention as they strive to serve and glorify Thee through their stewardship of our Granite State. Amen.

### **Pledge of Allegiance to the Flag**

#### **House**

Mr. Berringer of Woodstock led the Convention in the Pledge of Allegiance to the Flag.

#### **Leaves of Absence**

Mrs. McDonough of New Castle and Mr. Johnson of Rochester and Miss Park of Lyme were granted leave of absence for today and tomorrow on account of illness.

(Mr. O'Neil of Chesterfield in the Chair)

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and Joint Resolutions:

HB 111, An act relating to the printing of proceedings of the county convention of Belknap County.

HB 234, An act relating to the bounty on bobcats, lynxes, timber wolves and prairie wolves.

HB 408, An act relating to the board of water commissioners of the city of Somersworth.

HB 413, An act relative to emergency lights on motor vehicles.

HB 435, An act relative to the sewerage system in the city of Somersworth.

HB 494, An act relative to the compensation of state employees engaged in snow removal.

HB 553, An act to establish a new apportionment for the assessment of public taxes.

HB 597, An act adopting a state radiation control program.

HB 654, An act providing for additional appropriations to meet certain contractual deficiencies.

SB 14, An act relative to revocation and suspension of licenses.

SB 70, An act authorizing the adoption of fire prevention codes by cities and towns.

SB 100, An act relating to the practice of accountancy.

SB 122, An act providing for an executive Secretary for the cancer commission.

SB 127, An act to give authority to the director of the division of mental health to make transfers of residents between the Laconia state school and the state hospital.

SB 137, An act relating to the John M. Hunt Home.

SB 138, An act relating to the Mary E. Hunt Home for Aged Women.

HJR 11, Joint resolution providing an appropriation for the Civil War Centennial Commission.

HJR 19, Joint resolution providing funds for completion of forest conservation aid and special aid to heavily timbered towns payments.

HB 256, An act authorizing retirement system for employees of the city of Berlin.

HB 317, An act providing additional retirement allowances for certain retired teachers.

HB 546, An act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1965.

HB 628, An act relative to the practice of chiropractic.

SB 51, An act providing for the construction of a bridge parallel to the General Sullivan bridge.

SB 89, An act making an appropriation for educational television.

SB 96, An act relative to tax abatements.

HJR 34, Joint resolution in favor of Marcus E. Diffenderfer et al.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon  
Mr. York of Concord  
Mrs. Forbes of Marlow

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 612, relative to re-examination of motor vehicle operators over seventy years of age.

HB 625, providing for the incorporation of a public authority for the purpose of the operation of transit companies operating within municipalities.

HB 219, relative to motor carriers of property.

HB 582, relative to legislative mileage allowances.

HB 439, continuing appropriation for expansion of state park system.

HB 64, relative to funds for the state nursing scholarship program.

HB 567, relative to notices of and time for holding town caucuses.

HB 576, relative to appointment of assistant election officials in towns.

HB 566, relative to beagle field trials.

HB 607, relating to revision of supervisory unions and reassignment of personnel.

HJR 6, relative to operating expenses of educational TV station WENH-TV Channel 11, Durham.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 653, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire and the President has appointed as members of said Committee on the part of the Senate: Senator Hodgdon and Senator Drake.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 532, relative to classification of temporary and seasonal state employees and the President has appointed as members of said Committee on the part of the Senate: Senator DeLude and Senator Whalen.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard and the President has appointed as members of said Committee on the part of the Senate: Senator Battles and Senator Monahan.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 542, relative to settlements in behalf of minors.

### **Conference Committee Report**

The Conference Committee to whom was referred HB 542, relative to settlements in behalf of minors, having considered the same, report the same with the recommendation that the House recede from its position of nonconcurrency in the adoption of the Senate amendment and the Senate recede from the adoption of its amendment and the following amendment be adopted:

Amend said bill by striking out section 1 and inserting in place thereof the following:

1 Minors. Amend RSA 462:2 by striking out said section and inserting in place thereof the following: 462:2 Settlements in Behalf of Minors. No settlement, the amount of which exceeds seven hundred and fifty dollars, of any suit brought in behalf of an infant by parent or next friend shall be valid unless approved by the court in which the action is pending or to which the writ is returnable. In any suit on behalf of an infant or against an infant or in which an infant is interested, the court may make all necessary orders for protecting the interests of the infant and may require the guardian ad litem, parent or next friend to give bond to truly account for all money received on behalf of the infant whether through settlement, judgment, decree or other order.

Gilbert Upton  
Robert W. Moore  
Willis R. Johnson  
Conferees on the part of the House

Arthur Olson  
Herbert W. Rainie  
Conferees on the part of the Senate

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 471, adopting certain provisions of the uniform vehicle code.

#### **Amendment to HB 471**

Amend RSA 262-A:21, as inserted by section 1 of the bill, by striking out the same and inserting in place thereof the following:

262-A:21 Highway Markings. The commissioner of public works and highways and, subject to his approval, selectmen of any town or board of mayor and aldermen or group having similar powers in any city, having control of any highway may order such marking of highway, by painted lines, as is deemed



necessary to the safe and efficient use of any such highway. In ordering or approving such marking the commissioner of public works and highways insofar as is practicable shall conform to nationally accepted standards and any marking of the highway by painted lines shall prima facie be deemed to be approved or ordered by the commissioner of public works and highways. When the single center line highway marking method is used, no operator of a motor vehicle shall, while proceeding along a highway drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway by order of or with the approval of the said commissioner, except as herein otherwise provided and when the barrier line highway marking system is employed, no operator of a motor vehicle shall while proceeding along a highway, drive any part of such vehicle to the left of nor across an unbroken painted line marked on the highway in such operator's lane by order of or with the approval of said commissioner except (1) in an emergency, or (2) to permit ingress or egress to side roads or property adjacent to the highway, or (3) in case such operator has an unobstructed view and can see the end of the said unbroken painted line.

Further amend said bill by striking out section 5 and by renumbering section 6 to read section 5.

\* \* \*

On motion of Mr. Claflin of Wolfeboro, reading of the Senate amendment was dispensed with.

Mr. Claflin explained the amendment.

The House concurred in the Senate amendment.

A further Senate message announced that the Senate has passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

SB 76, to establish a uniform motor vehicle certificate of title and anti-theft act.

SB 17, to make appropriation for a state-owned aircraft.

SB 102, to regulate the carriage of household goods for hire by motor vehicle.

### **Introduction of Senate Bills**

The following Senate bills were read a first and second time and referred as follows:

SB 76, to establish a uniform motor vehicle certificate of title and anti-theft act, to Joint committees on Judiciary and Transportation.

SB 17, to make appropriation for a state-owned aircraft, to Claims and Aeronautics.

Mr. Kearns of Manchester moved that the order whereby SB 17 was referred to the Claims and Aeronautics committees, be vacated and that the bill be sent to Appropriations.

Mrs. Schwaner of Plaistow spoke against the motion.

Mr. Taft of Greenville spoke in favor of the motion.

The motion was adopted.

SB 102, to regulate the carriage of household goods for hire by motor vehicle, to Transportation.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 565, to revise the law relating to cooperative school districts.

#### Amendment to HB 565

Amend section 2 of said bill by striking out the first two lines and inserting in place thereof the following:

2 Functions. Amend RSA 195:4 (supp) as amended by 1961, 44:1 and 206:3 by striking out said section and inserting in place thereof the following:

Amend section 14 of said bill by striking out the first line and inserting in place thereof the following:

14 Repeal and Effect Thereof. RSA 195:3 (supp) as amended by 1955, 334:7 and 1961, 206:1 is hereby repealed. Nothing herein

On motion of Mrs. Greene of Rye the House concurred in the amendment.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 475, relating to trustee process on banks and similar corporations.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bill:

SB 82, establishing a council of resources and development.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 434, relating to minimum wages of employees in public works.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

SB 106, relative to continuous financial responsibility certificates.

HB 399, relative to salary of the justices of Rochester municipal court.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 500, relative to real estate brokers.

#### **Amendment to HB 500**

Amend section 5 of said bill by adding at the end of the section, after the words, each fiscal year, the words; of 1964 and 1965; so that said section as amended shall read as follows:

5 Funds available. For the purpose of getting funds for temporary and/or part-time clerical assistance and additional printing, mailing and other current expenses required by the examination procedure provided for by this act, the insurance commissioner is authorized to pay for such assistance and expenses out of receipts collected for real estate licensing fees not to exceed the sum of \$2,500 for each fiscal year of 1964 and 1965.

\* \* \*

On motion of Mr. McMeekin of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 400, to provide group life insurance, and group hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses.

#### Amendment to HB 400

Amend the bill by inserting the following new section:  
3 Director of Community Recreation; Appropriation. A director of community recreation advisory services in the division of recreation shall be established and a sum of twelve thousand dollars appropriated for said purpose and no part of said sum shall be transferred to any other appropriation or expended for any other purpose.

Further amend the bill by renumbering section 3 to read section 4.

\* \* \*

On motion of Mr. Goode of Manchester the House non-concurred in the Senate amendment and a committee of conference be appointed.

The Chair appointed Mr. Eaton of Hillsborough, Mr. Prescott of Laconia, and Mr. Belcourt of Nashua as conferees on the part of the House.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

SB 92, relative to chiropodists.

### **Amendment to SB 92**

Amend section 5 by striking out the same and inserting in place thereof the following:

5 Appropriation. The board of podiatry shall be allowed the sum of two hundred and twenty-five dollars for personal services for the fiscal year ending June 30, 1964. The said sum is appropriated for said board for said year in the appropriation act.

\* \* \*

On motion of Mr. Pinkham of Northwood the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 510, relative to study for improved pesticides controls.

### **Amendment to HB 510**

Amend section 2 of the bill by striking out the words, "the sum of five thousand dollars" and inserting in place thereof the words, the sum of three thousand dollars; so that said section as amended shall read as follows:

2 Appropriation. For the purpose of providing funds for the use of the interim committee on improved pesticides controls the sum of three thousand dollars is hereby appropriated. The appropriation made hereunder shall be a continuing ap-

propriation and shall not lapse. The members of the committee shall be entitled to mileage for travel performed on official business, payable from the funds hereby appropriated. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

\* \* \*

On motion of Mr. Pinkham of Northwood the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, in new title and new draft, in the passage of which new title and new draft the Senate asks the concurrence of the House of Representatives:

HB 319, relative to clams and mussels.

### House Bill No. 319

#### IN NEW TITLE AND NEW DRAFT

##### AN ACT

relative to clams and mussels.

1 Size and Limit. Amend RSA 211:62 (supp) as amended by 1957, 251:1 and 1959, 194:1 by inserting after the word "oysters" in the sixth line the words, provided, however, that the size of said clams shall be not less than two inches and each person shall be allowed a taking of undersize clams in a quantity not to exceed twenty per cent of the taking authorized by the rules and regulations of the director, so that said section as amended shall read as follows: 211:62 Authority for Taking. The director of the fish and game department upon advice of the advisory committee on shore fisheries and fish and game commission is authorized to make rules and regulations relative to the size, number and quantity limits for legal taking, open and closed seasons for legal taking, areas to be opened or closed to taking and the manner of taking clams, clam worms and oysters; provided however that the size of said clams shall be not less than two inches and each person shall be allowed a taking of undersized clams in a quantity not to exceed twenty per cent of the taking authorized by the rules and regulations of the director. Existing rules and regulations shall continue

in effect until the effective date of new regulations promulgated in accordance with section 211:63.

2 Mussels, Removal of. Amend RSA 211 by inserting after section 61 (supp) as amended by 1957, 251:1, the following new section: 211:61-a Removal Directed. Within the limits of the revenue derived from the shellfish licenses and fines provided in this chapter, the fish and game department is directed to remove mussels from the so-called middle grounds in Seabrook in Hampton river harbor. Said area shall be staked out by the advisory committee on shore fisheries.

3 Takes Effect. This act shall take effect sixty days after its passage.

\* \* \*

Mr. London of New London spoke in explanation of the amendment.

On motion of Mr. Drew of Farmington the House concurred in the new title and new draft.

### Committee Report

SB 118, relative to the improvement of Hampton Harbor entrance and restoration of sand lost by erosion on state-owned land at Hampton Beach, Mr. Ring of Hampton for Appropriations. Ought to pass with amendment.

### Amendment to SB 118

Amend the bill by striking out all after section 1 and inserting in place thereof the following:

2 Funds Provided. The sum of three hundred fifty thousand dollars is hereby appropriated for the purpose of carrying into effect the provisions of this act, including engineering and construction costs. Provided, that none of the funds hereby appropriated shall be expended unless the town of Hampton shall have paid over to the state for expenditure by the governor and council for the purpose of RSA 216-B and as the share of the cost of said town of the beach erosion project the sum of twenty thousand dollars.

3 Bond Issue Authorized. To provide funds for the appropriation made in section 2, the state treasurer is hereby authorized, under the direction of the governor and council, to

borrow upon the credit of the state in a sum not exceeding three hundred fifty thousand dollars, and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds shall be deemed a pledge of the faith and credit to the state. The interest and principal due on bonds or notes issued under this act shall be paid from the general fund. Monies received from the bond issue are to be expended under the direction of the commissioner of public works and highways.

4 Form; Proceeds of Sale. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the state treasurer and countersigned by the governor. The state treasurer may sell such bonds or notes under the direction of the governor and council. The governor is authorized to draw his warrants for the sum hereinbefore appropriated for the purposes of this act out of the proceeds of the sale of said bonds or notes.

5 Accounts. The secretary of state shall keep an account of all such bonds or notes showing the number and amount of each, the time of countersigning, the time when payable, and the date of delivery to the state treasurer. The state treasurer shall keep an account of each bond or note showing the number and amount thereof, the name of the person to whom sold, the amount received for the same, the date of sale, and the time when payable.

6 Short term Notes. Prior to the issuance of the bonds hereunder, and in anticipation of the collection of revenue hereunder, the state treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term notes, to be refunded by the issuance of the bonds hereunder. Provided, however, that at no time shall the indebtedness of the state on such short-term notes exceed the sum of three hundred fifty thousand dollars.

7 Federal Participation. Any funds received from the federal government as its share of the cost of the project authorized in section 1 shall be credited to the general fund.

8 Takes Effect. This act shall take effect sixty days after its passage.



Mr. Goode of Manchester explained the bill.

The amendment was adopted and the bill was ordered to a third reading.

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to permit third reading and final passage of SB 118 at the present time by title only.

### Third Reading

SB 118, relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

### Reconsideration

Mr. Goode of Manchester having voted with the majority moved that the House reconsider its vote where it passed SB 118 and spoke against the motion.

The motion was not adopted.

Mr. Rice of Peterborough, having voted with the majority, moved that the House reconsider its vote whereby it concurred in the Senate amendment on HB 402, relating to posting lands against trespass, and spoke against the motion.

Mr. Kelley of Littleton spoke in favor of the motion.

(discussion ensued)

Mrs. Martin of Littleton spoke in favor of the motion.

Messrs Willey of Campton and Urie of New Hampton spoke against the motion.

(discussion ensued)

Mrs. Hampson of Hebron spoke against the motion.

Mr. Casassa of Hampton moved the previous question and it was sufficiently seconded.

The motion prevailed.

The question now being on the motion to reconsider HB 402.

The motion was not adopted.

\* \* \*

On motion of Mr. Larty of Haverhill the rules of the House were so far suspended as to permit a hearing on SB 55 without two days notice in the Journal.

### **Committee Reports (continued)**

SJR 13, in favor of Edna M. Paine, Mr. Henry of Concord for Claims and Aeronautics. Ought to pass.

The Senate Joint Resolution was ordered to a third reading.

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to place SJR 134 on third reading and final passage by caption only at the present time.

### **Third Reading**

SJR 13, in favor of Edna M. Paine, was read a third time, passed, and sent to the Secretary of State to be engrossed.

### **Reports (cont.)**

SB 102, to regulate the carriage of household goods for hire by motor vehicle, Mr. Claflin of Wolfeboro for Transportation. Ought to pass.

The bill was ordered to a third reading.

On motion of Mr. Claflin of Wolfeboro the rules of the House were so far suspended as to permit third reading and final passage of SB 102 at the present time by title only.

### **Third Reading**

SB 102, to regulate the carriage of household goods for hire by motor vehicle was read a third time, passed, and sent to the Secretary of State to be engrossed.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Bill No. 273, relating to investments of savings banks,

having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence and concur in the adoption of the Senate amendment.

Mr. Stevens of Epsom  
Mr. Asby of Canterbury  
Mr. Manning of Manchester  
Conferees on the part of the House

Senator Holmes  
Senator Lamontagne  
Conferees on the part of the Senate

The report was adopted

### Senate Message

The Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 366, relative to a municipal court system with district courts

and the President has appointed as members of said Committee on the part of the Senate: Senator Rainie and Senator Green.

\* \* \*

On motion of Mrs. Greene of Rye the rules of the House were so far suspended as to permit the introduction of a committee report not previously advertised in the Journal.

SB 140, relative to increasing the trustees of Pinkerton Academy, Mr. O'Neil of Chesterfield for Education. Ought to pass.

The bill was ordered to a third reading.

On motion of Miss Whipple of Lebanon the rules of the House were so far suspended as to permit third reading and final passage of SB 140 at the present time by title only.

### Third Reading

SB 140, relative to increasing the trustees of Pinkerton Academy, was read a third time, passed, and sent to the Secretary of State to be engrossed.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 427, to provide per diem for members of the aeronautics commission

#### **Amendment to HB 427**

Amend the bill by inserting the following new section 3: 3 Appropriation; Probation Department. In addition to any other appropriation for the probation department there is hereby appropriated for the fiscal year June 30, 1964 the sum of two thousand eight hundred and twenty-five dollars and for the fiscal year ending June 30, 1965 the sum of two thousand nine hundred and nineteen dollars for a new position of clerk stenographer I for the Concord district office. These appropriations shall be from the general funds of the state.

Further amend the bill by striking out the original section 3 and inserting in place therefor the following section 4: 4 Takes Effect. This act shall take effect upon its passage.

\* \* \*

On motion of Mr. Goode of Manchester the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 552, relative to bridges on class II highways

#### **Amendment to HB 552**

Amend the title to the bill by striking out the same and inserting in place thereof the following:

An Act relative to bridges on class II highways.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1 Bridges on Class II Highways. The commissioner of public works and highways is directed to conduct a study of the probable cost to the state of the assumption by the state, not later than June 30, 1965, of all maintenance or reconstruction of all bridges on class II highways within the state. The commissioner shall submit a report of his finding not later than January 15, 1965 to the next regular session of the legislature.

\* \* \*

Mrs. Hampson of Hebron spoke in favor of the amendment.

On motion of Mr. Taft of Greenville the House concurred in the Senate amendment.

### Committee Report

SB 31, relative to reciprocity in the purchase of liquor, Mr. Collishaw of Exeter for Liquor Laws. Ought to pass.

Mr. Brummer of Lisbon explained the bill.

(discussion ensued)

Mr. Taft of Greenville spoke against the report.

(discussion ensued)

On a *viva voce* vote the Nays appeared to have it.

Mr. Brummer of Lisbon requested a division.

(Speaker in the Chair)

The Chair requested a quorum count and was satisfied that there was a quorum present.

The question now being shall the bill be read a third time.

A division count being taken and 78 members having voted in the affirmative and 161 in the negative, the motion was lost.

Mr. Maxham of Concord moved that SB 31 be indefinitely postponed.

The motion was adopted.

### Senate Message

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 400, to provide group life insurance, and groups hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses, and the President has appointed as members of said Committee on the part of the Senate: Senator Hodgdon and Senator Monahan.

### Recess

### After Recess

### Resolutions

Messrs Hutchinson of Chichester and Taft of Greenville offered the following Resolutions:

*Whereas*, We have learned of the great honor which has been paid to two of our Fellow Members, and

*Whereas*, The President of the United States has seen fit to send Henry L. Stevens of Epsom and Eloi A. Adams of Madbury as farmer representatives from New Hampshire in his Peoples to Peoples Program to Russia, therefore be it

*Resolved*, That we, the Members of the House of Representatives in General Court convened, do offer our congratulations to our Fellow Members, and be it further

*Resolved*, That we also wish them "bon voyage" and a fruitful culmination of their trip.

\* \* \*

The resolutions were unanimously adopted.

## Communications

New Hampshire State Hospital  
School of Nursing  
Concord, N. H.

June 25, 1963

Mr. Stuart Lamprey  
Speaker of the House of Representatives  
New Hampshire State Legislature  
Concord, New Hampshire

Dear Mr. Lamprey:

We, the members of the New Hampshire State Hospital School of Nursing, its Faculty, Students and Alumnae, would like to express to you our deepest appreciation for your Resolution dated Tuesday, May 28, 1963 as it appeared on page 9 of the Journal of the House of Representatives. This Legislative recognition of our dedication to the emotional and physical health of New Hampshire citizens is gratifying to those of us who labor to uphold New Hampshire's high health standards.

The consideration and passage of this Resolution also demonstrates a significant example of foresight concerning the future welfare of the mentally and physically ill in the United States. Of all the states of our country, New York and New Hampshire have been most able to effectively support their state mental hospital schools of nursing and thus have a most valuable source of staff. Undoubtedly this is a paramount reason that the nurse-patient ratio at the New Hampshire State Hospital is one of the best in the country—and why our patients receive better care than the mentally ill in many state institutions.

We are proud not only to work in the New Hampshire State Hospital, but also to be citizens of a State which recognizes the need for, and expresses best wishes toward, its State Hospital School of Nursing. Thank you so much for your kind consideration.

Respectfully yours,

Dorothy M. Breene, RN, BS N  
Director of Nursing

Janet E. Small, RN, MS N Ed  
Director, School of Nursing

\* \* \*

June 24, 1963

Hon. Stewart Lamprey  
House of Representatives  
Concord, N. H.

Dear Mr. Lamprey:

I wish to convey my sincere thanks and appreciation to all members of the General Court on the Resolutions sent to me when I was in the hospital.

I was discharged from the Veterans Hospital Friday, June 21 and am home recuperating. I am feeling very good but am told to minimize my activities.

Cordially yours,

William A. Cote  
Manchester, Ward 8

Mr. McAllister of Barnstead offered the following mileage report:

### Mileage Report

Mr. McAllister of Barnstead, for the Committee on Mileage, presented the following report:

Rockingham County		
Town		Miles
Atkinson		
	George W. White, Sr.	44
Auburn		
	Margaret A. Griffin	26
Brentwood		
	Mary T. Vey	42
Candia		
	Karl J. Persson	25
Chester		
	Russell E. Underwood	32
Danville		
	Charles E. Cummings	41



Deerfield	
Ross E. Watts	26
Derry (4)	
Charles H. Gay	34
Hayford T. Kimball	32
John L. Scott	32
James H. White	32
East Kingston	
Guy E. Nickerson	44
Epping	
John D. Hackett, Sr.	36
Exeter (4)	
Lyman E. Collishaw	46
Edwin W. Eastman	45
James A. Purington*	46
Stephen D. Wheeler	47
Fremont	
William B. Wylie	36
Greenland	
Edna B. Weeks	53
Hampstead	
Doris M. Spollett	40
Hampton (3)	
Herbert A. Casassa	53
Donald A. Ring	60
C. Dean Shindledecker	51
Hampton Falls	
Russell P. Merrill, Jr.	50
Kensington	
D. Everett Palmer	50
Kingston	
Ernest D. Clark	42
Londonderry	
Howell F. Shepard	29
New Castle	
Kathleen B. McDonough	51

Newmarket (2)	
F. Albert Sewall	40
John Twardus	40
Newton	
George L. Cheney	48
North Hampton	
George G. Carter	50
Northwood	
Ernest L. Pinkham	23
Plaistow (2)	
Mildred L. Palmer	46
Annie M. Schwaner	46
Portsmouth	
Ward 1 (2)	
William F. Keefe	50
Paul M. McEachern	50
Ward 2 (3)	
Henry S. Murch, Jr.	50
Ernest E. Stafford	48
Ann Sadler	50
Ward 3 (2)	
C. Cecil Dame	50
Clayton E. Osborn	50
Ward 4 (2)	
Melvin H. Chandler	50
Julia H. White	50
Ward 5 (2)	
Carmelo C. Cavalieri	50
Hector Coussoule	50
Ward 6 (2)	
Simes Frink	47
Dorothy L. Legasse	47
Raymond	
Calvin J. Langford	31
Rye (2)	
Elizabeth A. Greene	52
Maynard L. Young, Jr.	53

Salem (6)	
John F. Canty	43
John J. Grant	43
Roy Morrill	43
Bessie M. Morrison	43
Leonard B. Peever	43
Walter E. Stickney	43

Seabrook	
Myron B. Felch	52

Stratham	
Nelson E. Barker	47

Windham	
Edward N. Herbert	38

### Strafford County

Barrington	
Dorothy B. Berry	32

#### Dover —

Ward 1 (3)	
Alice F. Blanchette	41
Max W. Leighton	41
Albert L. Nelson	41

Ward 2 (2)	
Frank J. Grimes	40
Patrick N. H. O'York	40
Ernest Hemon**	40

Ward 3 (2)	
Carroll E. Fellows	40
Robert J. Smith	40

Ward 4 (3)	
William E. Colbath	40
Harriett W. B. Richardson	41
Hugh C. Tuttle	42

Ward 5 (1)	
John Maglaras	40

Durham (3)	
Laurence A. Bevan	36
Leon M. Crouch	38
Albert D. Littlehale	36

Farmington (2)	
Ralph W. Canney	43
Robert B. Drew	43
Lee	
Shirley M. Clark	37
Madbury	
Eloi A. Adams	38
Milton	
Ruth H. Dawson	53
New Durham	
Idanelle T. Moulton	34
Rochester —	
Ward 1 (1)	
Ernest L. Rolfe	46
Ward 2 (2)	
Winifred E. Hartigan	40
Maurice E. Marsan	42
Ward 3 (2)	
Paul J. Dumont	42
Glenna H. Rubins	42
Ward 4 (2)	
Leo E. Beaudoin	42
Angeline M. St. Pierre	42
Ward 5 (2)	
George E. Chase	42
Harry S. Johnson	42
Ward 6 (2)	
Arnold T. Clement	43
Edgar G. Varney	43
Rollinsford	
Fred L. Green	44
Somersworth —	
Ward 1 (1)	
Sarkis N. Maloomian	47
Ward 2 (1)	
Napoleon A. Habel	47

Ward 3 (2)	
Clovis J. Cormier	47
Roland Hebert	47
Ward 4 (1)	
Arthur J. Vincent	47
Ward 5 (1)	
Leon J. Littlefield*	47
Strafford	
Willis G. Bennett	29

### Belknap County

Alton	
Fred M. Perkins	31
Barnstead	
Arthur M. McAllister	23
Belmont	
Norman P. Bolduc	22
Center Harbor	
L. Keith Matheson	43
Gilford	
John Goodhue	36
Gilmanton	
Frank L. Uhlenberg	30
Laconia —	
Ward 1 (2)	
Rene C. Lacaillade	35
Walter D. McCarthy	35
Ward 2 (2)	
Walter A. Harkins	30
Margaret E. Normandin	30
Ward 3 (1)	
Ellis J. Ayre***	29
George Head**	29
Ward 4 (1)	
Oscar C. Prescott	29

Ward 5 (2)	29
Helen D. Hayner	29
David O'Shan	
Ward 6 (2)	36
George W. Stafford	31
G. Walter Varrell	
Meredith	40
Stuart B. Allan	
New Hampton	38
H. Thomas Urie	
Sanbornton	27
Olin H. Joslyn	
Tilton	21
Herbert E. Howe	
<b>Carroll County</b>	
Bartlett	91
Donalda K. Howard	
Brookfield	57
Roland S. Hughes	
Conway (3)	81
Esther M. Davis	83
Carroll A. Hill	83
Milburn F. Roberts	
Effingham	67
Virginia F. Taylor	
Jackson	89
Daniel R. Blanchard	
Madison	66
Percy A. Blake, Jr.	
Moultonborough	48
Stewart Lamprey	
Ossipee	69
Marcus E. Diffenderfer	
Sandwich	54
Mary S. Brown	

Tamworth	
Earle H. Remick	63
Tuftonboro	
Carroll A. Lamprey	57
Wakefield	
Arthur H. Fox	55
Wolfeboro (2)	
Leslie M. Chamberlain	46
Russell G. Claflin	46

### Merrimack County

Allenstown	
Narcisse V. Guilbeault	10
Andover	
Victor E. Phelps	23
Boscawen	
Clyde G. Fairbanks	13
Bow	
Richard D. Hanson	7
Bradford	
Reuben S. Moore	30
Canterbury	
William D. Asby	15
Chichester	
John B. Hutchinson	11
Concord —	
Ward 1 (2)	
Eli LaFlamme	8
Edward H. York	8
Ward 2 (1)	
Gilbert Upton	2
Ward 3 (1)	
Arthur F. Henry	3
Ward 4 (2)	
Walter B. Dame	2
Stuart Hancock	2

Ward 5 (2)	
James C. Bingham	2
Roger A. Smith	2
Ward 6 (4)	
Chris K. Andersen	2
Maurice B. MacDonald	2
Elwood Peaslee	2
Horace W. Sanders	2
Ward 7 (4)	
Eralsey C. Ferguson	2
William P. Gove	4
Paul B. Maxham	4
Henry C. Newell	4
Ward 8 (1)	
Donald J. Welch	2
Ward 9 (1)	
Pasquale V. Rufo	3
Dunbarton	
John W. McKay	12
Epsom	
Henry L. Stevens	13
Franklin —	
Ward 1 (1)	
Howard R. Kelley	21
Ward 2 (1)	
Wiggin S. Gilman	21
Ward 3 (2)	
Peter P. Charland	21
John P. Dempsey	21
Henniker	
Lewis H. Carpenter***	18
Helen C. Doon**	19
Hooksett (2)	
Alphonse A. Lafond	11
Gerard Lambert	11



Hopkinton	
Samuel Reddy, Jr.	11
Loudon	
George B. Brown	15
New London	
M. Roy London	36
Northfield	
Doris L. Thompson	19
Pembroke (2)	
Robert E. Plourde	8
Joseph H. Robinson	8
Pittsfield (1)	
Harriet B. Tarrant	19
Warner	
L. Waldo Bigelow, Jr.	20
Wilmot	
Arthur E. Thompson	28

### Hillsborough County

Amherst	
Orson H. Bragdon	32
Antrim	
Ellerton H. Edwards	32
Bedford (2)	
Anna S. Van Loan	23
Ralph M. Wiggin, Sr.	23
Brookline	
Grover C. Farwell	44
Deering	
Howard E. Whitney	29
Goffstown (4)	
Roland A. Barnard	20
F. Arthur Bartlett	20
A. Kenneth Hambleton	20
Arthur H. Martin	20

Greenfield	
Donald C. Davis	42
Greenville	
Alexander M. Taft	47
Hancock	
Julius Q. Pickering	40
Hillsborough	
Joseph M. Eaton	25
Hollis	
Daniel Brocklebank	45
Hudson (4)	
John M. Bednar	42
Thomas J. Claveau	42
Christopher F. Gallagher	39
George J. Provencal	39
Litchfield	
Howard S. Legallee	33
Lyndeborough	
Edward G. Warren	47
Manchester —	
Ward 1 (5)	
Greta M. Ainley	20
Saul Feldman	19
George A. Lang	19
James Pettigrew	19
Emile J. Soucy	19
Ward 2 (5)	
Donald S. Conover	19
Joseph H. Geisel	19
Henry F. Goode	19
Charles W. Kimball	19
James L. Mahony	19
Ward 3 (3)	
George A. Bruton	20
Leo L. Dion	21
James F. Hayes	20

Ward 4 (3)	
William J. Cullity	20
Denis F. Mahoney	20
Walter F. McDermott	20
Ward 5 (3)	
William F. Clancy	22
Thomas E. Manning	22
Edward J. Walsh	22
Ward 6 (6)	
Denis F. Casey	22
Edward D. Clancy	22
George Doherty	22
Claude E. Dupont	21
Daniel J. Healy	22
Michael F. O'Connor	22
Ward 7 (4)	
Edward T. LaFrance	21
Charles J. Leclerc	21
Albina S. Martel	22
Alonzo J. Tessier	21
Ward 8 (6)	
Alphonse L. Bernier	22
Edward Champagne	22
William A. Cote	22
Eugene Delisle, Sr.	22
Robert W. Moran	22
Daniel J. Wade	22
Ward 9 (1)	
Edward W. Morris*	20
James O'Gara**	20
Ward 10 (4)	
Conrad J. Adams*	0
Erwin Boettcher**	
Gerard H. Belanger	21
Alfred A. Bergeron	22
John J. Kearns	23
Ward 11 (3)	
George J. Hurley	21
Maurice H. Noel	21
Joseph H. Kendrigan	21

Ward 12 (3)	
Armand Capistran	21
Alphonse Levasseur	22
Joseph C. Nalette	21
Ward 13 (4)	
Edmond Allard	21
Rolland Chapdelaine***	0
Origene Lesmerises**	21
Lorenzo P. Gauthier	22
Hector J. Rousseau	21
Ward 14 (4)	
Willibert Gamache	25
Emmett J. Grady	21
Laurent J. Tremblay	21
Marcel A. Vachon	21
Merrimack (2)	
Harold V. Buker, Sr.	34
Edward J. Haseltine	34
Milford (3)	
Malcolm M. Carter	38
Charles W. Ferguson, Jr.	36
Charles P. Hayward	36
Nashua —	
Ward 1 (4)	
Marshall Cobleigh	37
Martha Cole	37
Mabel Thompson Cooper	37
George W. Underhill	38
Ward 2 (2)	
George A. Dionne	37
Wilfrid G. Thibault	38
Ward 3 (2)	
Agenor Belcourt	39
Hector J. Trombly	39
Ward 4 (1)	
Frank Sullivan	39

Ward 5 (2)	
Albert Maynard	39
George S. Pappagianis	39
Ward 6 (2)	
John B. Dionne	39
Ernest Marcoux	39
Ward 7 (3)	
Ralph W. Boisvert	39
Arthur J. Chartrain	39
Samuel F. Mason	40
Ward 8 (6)	
Oscar P. Bissonette	39
Arthur Bouley	39
Eugene I. DuBois	39
John Latour	39
William O. Lavallee	39
Frank C. Sabliski	39
Ward 9 (2)	
William A. Desmarais	39
Peter J. Dumais	39
New Boston	
Harold A. Todd	25
New Ipswich	
Theodore H. Karnis	53
Pelham (2)	
Frederick W. Garland	44
Arthur H. Peabody	42
Peterborough (2)	
Walter R. Peterson, Jr.	48
Benjamin M. Rice	48
Weare	
Scott F. Eastman	20
Wilton	
Philip C. Heald, Jr.	49

**Cheshire County**

Alstead	
Ralph W. Totman	62
Chesterfield	
James E. O'Neil	66
Dublin	
Belle F. Gowing	56
Fitzwilliam	
William J. Watkinson	68
Gilsum	
Arthur F. Turner	55
Hinsdale	
Clifford D. Stearns	73
Jaffrey (2)	
Wilfred W. Cournoyer	56
Raymond J. Desmarais	56
Keene —	
Ward 1 (3)	
Jeremiah J. Keating	54
Frederick L. Pratt	54
John D. Shea	54
Ward 2 (2)	
Stephen W. Pollock, Sr.	54
Roberta T. Shea	54
Ward 3 (2)	
Ovila J. Belletete	54
Cleon E. Heald	54
Ward 4 (2)	
Frank J. Bennett	55
Ellen Faulkner	57
Ward 5 (2)	
Laurence M. Pickett	54
Margaret A. Russell	54
Marlborough	
Wallace B. Oliver	58

Marlow	
Roxie A. Forbes	53
Richmond	
Jennie B. Bennett	75
Rindge	
James F. Allen	62
Swanzy (2)	
J. Edward Bouvier	64
Jacob M. Hackler	60
Troy	
Clarence J. Abare	63
Walpole (2)	
Louis S. Ballam	73
Harley W. Smith	73
Westmoreland	
George S. Wildey	73
Winchester	
John B. Sawyer	67

### Sullivan County

Charlestown (2)	
Alice E. Adams	65
Martha McD. Frizzell	65
Claremont —	
Ward 1 (2)	
Chauncey L. Cann	54
William L. Gaffney	54
Ward 2 (3)	
George W. Angus	54
Allan P. Campbell	54
Sam J. Nahil	53
Ward 3 (3)	
Arthur W. Barrows	54
Carmin F. D'Amante	54
Alton G. Desnoyer***	54
Cornish	
Charles E. Guest, Sr.	62

Croydon	
Margaret L. Weber	50
Langdon	
Eleanor F. Marx	64
Newport (3)	
Elsie C. Bailey	46
Maurice J. Downing	46
Harry V. Spanos	46
Plainfield	
Vernon A. Hood	71
Sunapee	
George R. Merrifield	45
<b>Grafton County</b>	
Ashland	
Thomas Pryor	51
Bath	
Edwin P. Chamberlin	93
Benton	
John Boutin, Sr.	100
Bethlehem	
Malcolm J. Stevenson	95
Bristol	
Bowdoin Plumer	33
Campton	
Philip S. Willey	60
Canaan	
Caroline R. Grey	50
Dorchester	
Arthur R. Goodfellow	60
Easton	
Oliver L. Bowles	94
Enfield	
Walter C. Morse	56



Groton	
Lauie A. Nettleton	50
Hanover (3)	
Elizabeth W. Hayward	69
William R. Johnson	69
Fletcher Low	69
Haverhill (2)	
Wilfred J. Larty	89
Norman A. McMeekin	89
Hebron	
Ruth Hampson	45
Lebanon —	
Ward 1 (2)	
Arthur F. Adams	63
George H. Beard	63
Ward 2 (2)	
Ernest R. Coutermarsh	65
Mary E. Demers	65
Ward 3 (2)	
Robert M. Lewis	63
Gladys L. Whipple	63
Lincoln	
George M. McGee, Sr.	75
Lisbon	
George Brummer	100
Littleton (3)	
Clarence W. Allard	100
Fred Kelley	100
Eda C. Martin	100
Lyme	
Hazel I. Park	80
Orford	
Charles L. Cushman	70
Plymouth (2)	
Kenneth G. Bell	52
Stephen W. Smith, Sr.	52

Rumney	
Jesse A. Barney	52
Warren	
Fayne E. Anderson	62
Waterville	
Ralph H. Bean	72
Woodstock	
St. Clair A. Berringer	79

### Coos County

Berlin —	
Ward 1 (3)	
Leon T. Dubey	120
Guy T. Fortier	120
Edgar J. Roy	120
Ward 2 (2)	
Romeo A. Desilets	120
Frank H. Sheridan	120
Ward 3 (3)	
Basil W. Connolly	120
Raymond E. Dumont	120
Fay Vashaw	120
Ward 4 (3)	
Arthur A. Bouchard	120
Jennie G. Fontaine	120
Rebecca A. Gagnon	120
Colebrook	
Harry N. Marsh	150
Dixville	
Frank C. Nash	161
Gorham (2)	
George W. W. Graham	114
George H. Keough	112
Jefferson	
Paul E. Thayer	113

Lancaster (2)	
Lloyd G. Sherman	116
Ralph D. Shute	111
Milan	
Edna D. Fogg	126
Northumberland (2)	
Walter O. Bushey	124
Natalie M. Potter	124
Randolph	
Mary E. Arsenault	120
Stewartstown	
Darwin M. Brooks	160
Stratford	
Bert Stinson	135
Whitefield	
Ada C. Taylor	108

\*Deceased

\*\*\*Resigned

\*\*Elected to fill vacancy caused by death or resigning

\* \* \*

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 563, for the establishment of authorized regional enrollment (AREA) schools and creating the New Hampshire school building authority

### Amendment to HB 563

Amend the bill by inserting in section 1 after paragraph XI the following new paragraph:

XII. "Meeting of a receiving district" may include any regular or special session of its legislative body in the case of a

city with a dependent school department, or of its school board in the case of any separately incorporated school district within a city in which district meetings have been abolished.

\* \* \*

On motion of Mr. O'Neil of Chesterfield the House concurred in the Senate amendment.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 621, relative to the production, distribution and sale of milk and other dairy products.

#### Amendment to HB 621

Amend the bill by inserting after section 3 the following new sections: 4 Appropriation. The sum of five thousand eight hundred ninety-two dollars is hereby appropriated to be expended by the division of public health for the purposes of RSA 184:79-102 for the fiscal year ending June 30, 1964 and the sum of five thousand, two hundred sixty-five dollars is hereby appropriated for the same purposes for the fiscal year ending June 30, 1965. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend the bill by renumbering section 4 to read 5.

\* \* \*

On motion of Mr. Adams of Madbury the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to reconsider its action whereby it adopted the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 475, relating to trustee process on banks and similar corporations.

and has recommitted the bill to the committee of conference.

On motion of Mr. Totman of Alstead the House reconsidered its vote whereby it adopted the recommendation of the committee of conference on HB 475.

Mr. Totman moved that HB 475 be recommitted to the committee of conference for further study.

The motion was adopted.

Mr. Mahoney of Manchester moved that the rules of the House be so far suspended as to allow the introduction of a committee report on SB 126 not previously advertised in the Journal for two days.

The motion was not adopted.

### Reconsideration

Mr. Dupont of Manchester moved that the House reconsider its vote whereby it did not allow the suspension of the rules to introduce a committee report on SB 126, and spoke in favor of the motion.

Mr. Mahoney of Manchester spoke in favor of the motion.

Mr. Dupont of Manchester withdrew his motion for reconsideration.

\* \* \*

Mr. Goode of Manchester moved that the rules of the House be so far suspended as to permit the introduction of a committee report on SB 133, providing for an appropriation for a privately owned ski development known as Willard Basin, not previously advertised in the Journal for two days.

Mr. Willey of Campton spoke against the motion.

Mr. Goode of Manchester spoke in favor of the motion.

Mr. Kimball of Manchester spoke against the motion.

(Mr. Stevenson of Bethlehem in the Chair)

Mr. Taft of Greenville spoke in favor of the motion.

Mr. Goodhue of Gilford spoke against the motion.

(discussion ensued)

Mr. Morrill of Salem spoke against the motion.

(discussion ensued)

Messrs. Smith of Plymouth and Willey of Campton spoke against the motion.

Mr. Goode of Manchester spoke a second time in favor of the motion.

(discussion ensued)

Mr. Goode yielded the floor to Mr. Taft of Greenville to answer a question.

1 minute Recess

(Speaker in the Chair)

Mr. Clement of Rochester moved that SB 133 be committed to the Appropriations committee.

Mr. Willey of Campton spoke against the motion.

Messrs Angus of Claremont and Stevenson of Bethlehem spoke in favor of the motion.

Mr. Urie of New Hampton spoke against the motion.

(discussion ensued)

Mr. Clement of Rochester withdrew his motion and spoke in favor of the motion to suspend the rules.

Mr. Sheridan of Berlin spoke in favor of the motion.

The motion was not adopted.

On motion of Mr. Clement of Rochester the Rules of the House were so far suspended as to permit the introduction of SB 68, not previously advertised in the Journal for two days.

SB 68, relative to the reorganization of public higher education in New Hampshire, Mr. Roberts of Conway for Appropriations. Ought to pass with amendment.

#### **Amendment to SB 68**

Amend paragraph VII of RSA 187:8 as inserted by section 6 of said bill by striking out said paragraph and inserting in place thereof the following:

VII. To appoint a president of the university, a president of Keene state college and a president of Plymouth state college, and to appoint such other administrative officers of each such institution and fix the duties and the compensation of all such officers; said presidents shall be entitled to maintenance in addition to salaries:

Amend section 10 of said bill by striking out the same and inserting in place thereof the following:

10 Transfer of Funds. Any funds now or in the future appropriated for the operation of the teachers colleges are hereby transferred and made available to the trustees of the state colleges and university for expenditure for said operation.

Amend section 18 of said bill by striking out the same and inserting in place thereof the following:

18 Appropriations; Special Salary Adjustment Funds. The trustees of the state colleges and university are hereby authorized and directed to establish a special salary adjustment fund for Keene state college and a like fund for the Plymouth state college to be expended for adjustment of salaries at the respective colleges for the fiscal year ending June 30, 1964 and for the fiscal year ending June 30, 1965. Said fund for each of said state colleges shall consist of \$25,000 for each of said fiscal years. To meet the requirements of this section the trustees of the state colleges and university shall transfer from funds appropriated for each of said colleges the fund of \$12,500 for each of said fiscal years to said special salary adjustment fund for each college. In addition thereto there are hereby appropriated the following sums: For the Keene special salary adjustment fund the sum of \$12,500 for the fiscal year ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965; for the Plymouth special salary adjustment fund the sum of \$12,500 for the fiscal year ending June 30, 1964 and a like sum for the fiscal year ending June 30, 1965 and the additional sums hereby appropriated shall be a charge upon the general fund and the governor is authorized to draw his warrant for said additional sums out of any money in the treasury not otherwise appropriated.

\* \* \*

On motion of Mrs. Weeks of Greenland, reading of the amendment was dispensed with and Mrs. Weeks explained the amendments.

The amendment was adopted and the bill was ordered to a third reading.

### Introduction of a Guest

The Chair introduced Mr. Russ to the House as a member of the Maine Legislature, courtesy of Mr. Stafford of Portsmouth.

\* \* \*

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to place SB 68 on third reading and final passage at the present time.

SB 68, relative to the reorganization of public higher education in New Hampshire, was read a third time, passed, and sent to the Senate for concurrence in the House amendment.

### Reconsideration

Mrs. Frizzell, having voted with the majority, moved that the House reconsider its vote whereby it passed SB 68, and spoke against the motion.

The motion was not adopted.

\* \* \*

Mr. Clement of Rochester moved that the rules of the House be so far suspended as to permit the introduction of a committee report not previously advertised in the Journal for two days. The report being on SB 17, to make appropriation for a state-owned aircraft.

Mr. Stafford of Laconia moved that SB 17 be indefinitely postponed and spoke in favor of the motion, and subsequently withdrew the motion.

The motion now being on suspension of the rules.

Mr. Coutermarsh of Lebanon spoke in favor of the motion.

Messrs. Stafford of Laconia and Bednar of Hudson spoke against the motion.

Messrs. Pickett of Keene, Stevenson of Bethlehem, Peterson of Peterborough, Goodhue of Gilford, Taft of Greenville, Kimball of Manchester, Clement of Rochester and Mrs. Brown of Sandwich spoke in favor of the motion.

(discussion ensued)



Mr. Reddy of Hopkinton moved the previous question and it was sufficiently seconded.

The motion was adopted.

Question being on the motion for suspension of the Rules.

The motion prevailed and Mr. Stafford of Laconia requested a division.

204 members having voted in the affirmative and 94 in the negative the motion prevailed.

\* \* \*

SB 17, to make appropriation for a state-owned aircraft, Mr. Dumont of Berlin for Appropriations. Ought to pass.

Messrs. Dupont of Manchester and Bednar of Hudson spoke against the bill.

The bill was ordered to a third reading.

The Chair asked the House for unanimous consent to change the Journal of June 26, 1963, relative to Senate Bill 94, an act providing for additional justice for superior court, in order to show that the rules were suspended and that reference to Appropriations Committee was dispensed with. Such consent was granted.

### **Personal Privilege**

Mrs. Greene of Rye rose on a point of personal privilege.

\* \* \*

### **Committee of Conference Report**

The Committee of Conference to whom was referred HB 485, relative to building and loan associations, having considered the same, report the same with the recommendation that the House recede from its position of nonconcurrence in the adoption of the Senate amendment and the Senate recede from the adoption of its amendment and the following amendment be adopted:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Building and Loan Associations. Amend RSA 395:15 (supp) as amended by 1955, 131:2 by striking out the same and inserting in place thereof the following: 393:15 Loans. Any such corporation may loan money so collected, together with interest, premiums, fines and profits arising from the business, to its shareholders and members on first mortgages on real estate situated anywhere in New Hampshire or within a fifty mile radius of its main office in any state contiguous to New Hampshire, provided however that the geographical limitations shall not apply to Federal Housing Administration and Veterans Administration insured loans purchased from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, or on buildings' in the town of Hampton situated on land not belonging to the owner of the building. The loans shall not exceed the appraisal value of said property. Such corporation may accept other satisfactory collateral as additional security for the loan. A premium may be charged in excess of the established rate of interest. Said loans shall be share sinking fund or direct reduction loans. In share sinking fund loans serial shares of the corporation shall also be pledged sufficient in amount to repay the loan upon maturity. Direct reduction loans shall be repayable in monthly installments sufficient to amortize the same paying off interest or premium and principal in any period of time not exceeding twenty-five years. Any such corporation holding a first mortgage on such property may take a subsequent mortgage or mortgages on the same property provided that there are no intervening liens. Any shareholder may borrow on the shares of such corporation up to the full value thereof at the time of the loan.

2 Loans and Investments. Amend RSA 393:18 (supp) as amended by 1961, 136:4 by adding at the end thereof the words, An association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association or under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives for such real estate, so that said section as amended shall read as follows: 393:18 Limitations on Amount of Real Estate Loans and Investments. An association may loan its funds upon the security of a first lien on real estate provided that not more than ten thousand dollars shall be loaned upon the security of a first lien on any one property except that if the aggregate

amount owing to it on all its mortgage loans exceeds five hundred thousand dollars, in which event it may make such loan in an amount equal to two and one-half per cent of its assets or fifteen thousand dollars, whichever amount is greater, but in no event shall any such loan exceed twenty thousand dollars or one-half of one per cent of the assets of the association, whichever is greater. Loans in excess of ten thousand dollars shall not exceed eighty per cent of the appraised value of the property in question. Loans of twenty thousand dollars or more on one piece of property shall not exceed seventy per cent of the appraised value of the property. The total amount owing to an association upon all such loans and investments in excess of twenty thousand dollars shall not exceed ten per cent of the aggregate amount owing to it on all of its mortgage loans at the time any such loan or investment in excess of twenty thousand dollars is made. These limitations shall not apply to loans insured with the Federal Housing Administration or the Veterans Administration. Notwithstanding the foregoing limitations, an association may make a loan in connection with the sale of real estate acquired by the association under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives for such real estate. An association may make a loan in connection with the sale of real estate acquired by the association for the purpose of providing offices for the transaction of the business of the association or under a foreclosure or a deed in lieu of foreclosure, in an amount not to exceed the sale price the association receives for such real estate.

3 Excess Limits. Amend RSA 393:22 (supp) as amended by 1961, 136:5 by striking out the words "seven and one-half" where it occurs in the second and fifth lines and inserting in place thereof the word, ten, so that said section as amended shall read as follows: 393:22 Borrowing. It may, without consent of the commissioner, borrow not in excess of ten per cent of its share capital and may pledge as collateral for such borrowings real estate mortgages, notes and other securities. It may with the consent of the commissioner, borrow in excess of ten per cent of its share capital, and with his approval may pledge as collateral, real estate mortgages, notes, and other securities.

4 Association Offices. Amend paragraph II of RSA 393:24 (supp) as amended by 1955, 131:1 by striking out said paragraph and inserting in place thereof the following: II. In the

purchase of improved or unimproved real estate and in the construction or improvement of buildings thereon for the purpose of providing offices for the transaction of an association's business. Such building may also include space for rental purposes. The cost to the association of such lands and buildings shall not exceed fifty per cent of the sum of such association's guaranty fund, surplus, and reserves at the time such investment is made.

5 New Provision. Amend RSA 393 by inserting after section 57 (supp) as inserted by 1961, 136:9 the following new section: 393:58 Power to Provide Insurance, Incentive Plans, Deferred Compensation Plans and Other Retirement Benefits for Officers and Employees. Every building and loan association and cooperative bank organized under this chapter shall have the power to provide life, health and casualty insurance for its officers and employees and to adopt and operate reasonable incentive plans, deferred compensation plans and other forms of retirement benefits for such officers and employees.

6 Takes Effect. This act shall take effect sixty days after its passage.

Mr. Peterson of Peterborough  
Mrs. Vey of Brentwood  
Mr. Manning of Manchester  
Conferees on the part of the House  
  
Senator Hunter of Hampton  
Senator Holmes of Amherst  
Conferees on the part of the Senate

The report was adopted.

### Senate Message

The Senate message announced that the Senate refuses to concur with the House of Representatives in the adoption of the amendment to the following entitled bill sent up from the House of Representatives:

SB 116, relative to fees for insurance companies and brokers and requests a Committee of Conference; the President has appointed as members of said Committee of Conference on the part of the Senate Senator Holmes and Senator Paquette.

On motion of Mr. Wheeler of Exeter the House acceded to the request from the Senate for a committee of conference on SB 116 and the Chair appointed Messrs. Wheeler of Exeter, Varney of Rochester and Latour from Manchester as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 581, relating to workmen's compensation.

### **Amendment to HB 581**

Amend said bill by striking out everything after the enacting clause and inserting in place thereof the following:

1 Coverage. Amend paragraph I of RSA 281:2 (supp) as amended by 1957, 187:1, 1959, 187:1, and 1961, 194:1, by striking out the word "three" in the third line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: I. Employer, means a person, partnership, association, corporation and the legal representative of a person, partnership, association or corporation who employs two or more persons, whether in one or more trades, businesses, professions or occupations, and whether in one or more locations, except casual employees, farm labor and domestic service. In determining the number of persons employed there shall be included persons whose contract of employment was entered into outside the state, if they are actually employed on work in this state. For the purpose of determining the number of persons employed, executive officers elected or appointed and empowered in accordance with the charter and by-laws of a corporation shall not be considered to be employees, except that such executive officers in excess of three shall be counted as employees. Except where the context specifically indicates otherwise, the term "employer" shall be deemed to include the employer's insurance carrier. Any other employer may elect to accept the provisions of this chapter in accordance with sections 3 and 7.

2 Pulmonary Dust Diseases. Amend paragraph III of RSA 281:2 (supp) as amended by 1957, 187:2, 1959, 187:3, and 1961, 194:2, by adding at the end thereof the following sentence,

In connection with the maximum amounts payable for silicosis and other pulmonary dust diseases, compensation shall be payable from the date of total disability and not from the date of injury as herein defined in such cases, so that said paragraph as amended shall read as follows:

III. Personal injury, or injury as used in and covered by this chapter shall mean accidental injury or death arising out of and in the course of the employment and the following diseases or death therefrom arising out of and in the course of employment: Anthrax, lead poisoning or its sequelae, dermatitis venenata, diseases due to the inhalation of poisonous gases or fumes or their sequelae, disability due to radioactive properties or substances or exposure to ionizing radiation, and silicosis and other pulmonary dust diseases subject to the provisions hereinafter set forth. For the purpose of determining the date of injury for an occupational disease the first date of treatment by a licensed physician shall be taken as the date of injury, except as hereinafter specifically provided. It shall not include other diseases or death therefrom unless they are the direct result of an accidental injury arising out of and in the course of employment, nor shall it include a disease which existed at commencement of the employment, nor a disease the last injurious exposure to the hazards of which occurred prior to the effective date of this chapter. When silicosis and other pulmonary dust diseases or death therefrom occur within the above definition of "personal injury" or "injury," compensation shall be payable under the provisions of this chapter, provided, however, that (1) no compensation shall be payable for partial disability; (2) in the event of temporary or permanent total disability or death, notwithstanding any other provisions of this chapter, total compensation if disability or death occurred during July, 1947, shall not exceed the sum of five hundred dollars; thereafter the limit for total disability or death shall increase at the rate of fifty dollars each calendar month until the maximum allowed for other injuries under this chapter is reached; (3) the total amount of benefit in case of death shall not exceed the balance remaining between the amounts paid for disability and the total compensation payable under this chapter. In connection with the maximum amounts payable for silicosis and other pulmonary dust diseases, compensation shall be payable from the date of total disability and not from the date of injury as herein defined in such cases.

3 Other Employers. Amend RSA 281:3 (supp) as amended by 1961, 194:3, by striking out said section and inserting in place thereof the following: 281:3 Elections by Employers not Subject to Law. Any employer not otherwise subject to the provisions of this chapter may accept the provisions of this chapter by filing an election with the labor commissioner. Such employer shall thereafter be liable to all of his employees in the same manner as other employers.

4 Revocation. Amend RSA 281:4 (supp) as amended by 1961, 194:4, by striking out said section and inserting in place thereof the following: 281:4 Revocation of Election. Any employer accepting the provisions of this chapter pursuant to sections 3 and 7 may revoke his or its acceptance of the provisions of this chapter by filing a revocation with the labor commissioner which shall be effective thirty days after such filing and by posting a notice of such revocation in a conspicuous place on his or its premises.

5 Additional Coverage. Amend RSA 281:7 (supp) as amended by 1961, 194:6, by inserting after the word "union" in the second line the words, county extension service council, and by inserting after the word "thereof" in the eighth line the words, for a county extension service council by said council, so that said section as amended shall read as follows: 281:7 Election by Municipalities. Any county, city, town, school district, supervisory union, county extension service council, or any other district established by law, may accept for designated or for all workmen in its employ, the provisions of this chapter, and it shall thereafter be liable to such workmen for any injury arising out of and in the course of employment in the manner provided in this chapter. The liability of any county, city, town, or district accepting said provisions shall not otherwise be enlarged or extended. The acceptance for a county may be made by the commissioners thereof, for a county extension service council by said council, for a city by the city council, for a town by the selectmen thereof, for a school district by the school board thereof, for a supervisory union by the supervisory union board thereof, and for any other district by the commissioners thereof or other officers having by law the management of such district. Such acceptance shall be filed with the labor commissioner.

6 Parties to Waivers. Amend RSA 281:12-a (supp) as inserted by 1957, 187:5 and amended by 1961, 194:7, by striking

out the words "having regularly less than three employees" in the thirty-fifth line and inserting in place thereof the words, not subject to the provision of this chapter, so that said section as amended shall read as follows: 281:12-a Waiver of Compensation. Whenever any person desiring to enter into a contract of employment, shall have any physical defect which imposes upon the prospective employer a further or unusual hazard, it shall be permissible for such person to waive in writing for himself or his dependents, or both, any rights to compensation under the provisions of this chapter for any personal injury arising out of and in the course of his employment, or death resulting therefrom which may be found by the labor commissioner to be attributable in a material degree to such physical defect. No waiver shall become effective unless the defect in question shall be plainly described therein, and accompanied by a statement of the defect from a licensed physician, nor unless the labor commissioner finds that the person who signed such waiver fully understood the meaning thereof and, if such person shall be a minor, that the parents or a guardian of such minor shall have approved the same in writing, nor until application of such waiver shall have been sent to the labor commissioner. Any person already employed who shall suffer a physical defect which would impose upon his employer a similar further or unusual hazard may make application for a waiver as above described. Such waiver shall be effective on a temporary basis for not over sixty days, not including Sundays, from date it is sent to the labor commissioner pending his action thereon. The labor commissioner shall, in writing, approve such waiver and furnish each of the parties thereto with a copy thereof. In event the waiver is refused by the labor commissioner, the temporary waiver shall cease within seven days from the date of such denial. Application for cancellation of such waiver may be made by either party to the labor commissioner who may cancel same upon receipt of a statement by a licensed physician that such physical defect no longer exists, or with the consent of both parties. No such waiver shall be a bar to a claim by the person signing the same, or his dependents, for a compensation for any injury arising out of and in the course of his employment, or death resulting therefrom, which injury shall not be found to be attributable in a material degree to the particular condition described therein. The rights and liabilities of the parties to such waiver to injuries arising out of and in the course of the



employment and within the terms of such waiver shall be such as are provided by the law in the case of an employer not subject to the provisions of this chapter, who shall not have accepted the provisions of this chapter. The term "physical defect" as used in this section shall not be construed to include an occupational disease, susceptibility thereto or a recurrence thereof.

7 Waiver by Governor and Council. Amend RSA 281:14 (supp) as amended by 1957, 187:6, 1959, 187:5, and 1961, 194:8, by inserting after paragraph IV the following new paragraph: V. Whenever the lien created by the foregoing paragraphs is in the state of New Hampshire by virtue of benefits paid to or on behalf of a state employee, the governor and council, upon petition by the injured employee, may, in its discretion, waive all or part of said lien.

8 Medical and Hospital Benefits. Amend RSA 281:21 (supp) as amended by 1961, 194:9, by striking out said section and inserting in place thereof the following: 281:21 Medical, Hospital Care, etc. During the first six months after an injury to an employee, an employer subject to this chapter, shall furnish to an injured employee, or cause to be furnished, free of charge, reasonable medical and hospital services, or other remedial care when needed, unless the injured employee shall decline or refuse to allow them to be furnished, and the injured employee, if he so chooses shall have the right of selection of a duly qualified physician or other remedial care upon due notice to the employer. Such six-month period may be extended from time to time at the discretion of the labor commissioner upon written request of the injured employee to the labor commissioner and after the employer has been given an opportunity to file objections thereto and to be heard thereon. In the event of the loss of an eye, limb, or other member, or the loss of hearing, by reason of said injury, an employer, in addition to the foregoing care, shall upon request, furnish, free of charge, an appropriate artificial appliance to replace such loss. Such aid shall not be considered under the provisions of section 22 to 26. Whenever an injured employee shall receive medical or hospital benefits, or other remedial care, after expiration of the first six months after an injury, or subsequent to expiration of extension thereof by the labor commissioner, and, due to accident, misfortune, or mistake, fails to file a request for an extension prior to re-

ceiving such medical or hospital, or other remedial care, the labor commissioner, following notice to the employer giving opportunity to be heard, may grant an extension retroactively.

9 Determination of Value. Amend RSA 281 by inserting after section 21 (supp) as amended by 1961, 194:9, the following new section: 281:21-a Reasonable Value of Services. Whenever medical and hospital services, or other remedial care, are rendered to an injured employee under the provisions of this chapter, and a dispute arises between the employer and the person, firm or corporation rendering such services or care as to the reasonable value thereof, the labor commissioner shall consult with not less than three members of the same profession as the creditor concerned in the subject dispute and thereafter determine the reasonable value for such services or care. Each of the following organizations shall be entitled to submit to the labor commissioner the names of ten members of their organization who shall comprise a panel from which the commissioner shall choose individuals with whom to consult: (a) New Hampshire Medical Society, (b) New Hampshire Osteopathic Society, (c) New Hampshire Dental Society. Nothing herein contained shall be construed as a bar to the commissioner, for purposes of complying with this section, consulting with any other professional individuals, provided that said individuals shall be engaged in the private practice of their profession and not in the employ of the employer of the patient or any party or agent acting on behalf of the employer, and no individual who is not engaged full time in the private practice of his profession shall be eligible for membership on any of the panels aforesaid. The labor commissioner shall have exclusive jurisdiction in resolving the dispute and he shall make his finding as to the reasonable value of such services and/or care rendered and such findings shall be binding upon the interested parties.

10 Death Benefits. Amend RSA 281:22 (supp) as amended by 1955, 98:3 and 4, 1957, 187:10 and 13, 1959, 187:12, and 1961, 194:10, by striking out said section and inserting in place thereof the following: 281:22 Compensation for Death. If death results from the injury, the employer shall, subject to the limitations hereinafter provided, pay to, or for the dependents of the deceased employee, as defined in section 2, weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee's average weekly wages, but not less than

twenty nor more than forty-five dollars per week unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages; provided that the total amount payable on account of a single death shall not exceed the sum of fifteen thousand dollars. Such benefits shall be payable for a maximum of three hundred and forty-one weeks except where the maximum of fifteen thousand dollars is reached prior to the expiration of said maximum period. Any weekly payments made under sections 23, 25 or 26 shall be deducted from said maximum of fifteen thousand dollars.

I. In all cases where compensation is payable to a widow or widower for the benefit of herself or himself and dependent child or children, the labor commissioner shall have power to determine in his discretion what portion of the compensation shall be applied for the benefit of any such child or children and may order the same paid to a guardian.

II. In the case of remarriage of a widow without dependent children compensation payments shall cease.

III. In case of remarriage of a widow who has dependent children the unpaid balance of compensation which would otherwise become her due shall be payable to the mother, guardian, or such other person as the labor commissioner may order, for the use and benefit of such children during dependency.

IV. If the deceased employee leaves no dependents, the employer shall pay the expenses of burial not exceeding eight hundred dollars.

V. Any dependent as defined herein, who at the time of the injury of the injured is in part only dependent upon his earnings, shall receive such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total support of the dependents.

VI. Compensation for a dependent child shall cease when a child becomes twenty-one years of age, unless the child is physically or mentally incapacitated, or earlier if the child is determined by the labor commissioner to be self-supporting, or upon the marriage or legal adoption of such child.

11 Total Disability Benefits. Amend RSA 281:23 (supp) as amended by 1955, 98:5, 1957, 187:11, 1959, 187:13, and 1961,

194:11, by striking out said section and inserting in place thereof the following: 281:23 Compensation for Total Disability. Where the injury causes total disability for work at any gainful occupation the employer, during such total disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay the injured employee a weekly compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than fifteen dollars nor more than forty-five dollars per week, unless the injured employee's average weekly wages as defined herein are less than fifteen dollars per week, in which case the compensation shall be the full amount of said average weekly wages. Whenever total disability has continued for a period of six successive years and still continues, further payments of compensation during continued total disability shall be made only upon order of the labor commissioner. The injured employee shall apply to the labor commissioner for further weekly benefits during such continued total disability. The employer shall be given prompt notice of such requests, and shall be entitled to a hearing if he so requests within ten days following receipt of such notice. Unless the employer agrees to such request within ten days after receipt of said notice, no such request shall be granted until the injured employee shall have been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the labor commissioner under this chapter. If additional benefits are awarded, they shall not be awarded for a period in excess of one year, and payments shall cease if total disability ends during the extension granted. If, at the end of one year, any such benefits are still being received pursuant to an extension granted hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

12 Repeal. RSA 281:24 (supp) as amended by 1955, 98:6, 1957, 187:2 and 1961, 194:12, relative to compensation for permanent total disability, is hereby repealed.

13 Permanent Partial Disability Benefits. Amend RSA 281:26 (supp) as amended by 1955, 98:8, by striking out said

section and inserting in place thereof the following: 281:26 Permanent Partial Disability. In case of disability partial in character but permanent in quality, compensation shall be computed and payable as follows: (1) During the actual healing periods hereinafter mentioned, compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than forty-five dollars per week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week (in which case the compensation shall be the full amount of said average weekly wages) shall be payable; (2) for the specific injuries hereinafter mentioned, compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than forty-two dollars per week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week (in which case the compensation shall be the full amount of said average weekly wages) shall be payable.

I. Total and permanent loss of sight in both eyes, compensation for three hundred and forty-one weeks, plus actual healing period, if any.

II. Loss of both feet at or above the ankles, compensation for three hundred and forty-one weeks, plus actual healing period.

III. Loss of both hands at or above both wrists, compensation for three hundred and forty-one weeks, plus actual healing period.

IV. Loss of one hand at or above the wrist and one foot at or above the ankle, compensation for three hundred and forty-one weeks, plus actual healing period.

V. Arm lost, compensation for two hundred fourteen weeks, plus actual healing period.

VI. Hand lost, compensation for one hundred seventy-five weeks, plus actual healing period.

VII. Thumb lost, compensation for fifty weeks, plus actual healing period.

VIII. Index finger lost, compensation for thirty-one weeks, plus actual healing period.

IX. Middle finger lost, compensation for twenty-six weeks, plus actual healing period.

X. Ring finger lost, compensation for nineteen weeks, plus actual healing period.

XI. Little finger lost, compensation for thirteen weeks, plus actual healing period.

XII. Leg lost, compensation for two hundred fourteen weeks, plus actual healing period.

XIII. Foot lost, compensation for one hundred fifty-one weeks, plus actual healing period.

XIV. Great toe lost, compensation for twenty-six weeks, plus actual healing period.

XV. Toe other than great toe lost, compensation for ten weeks, plus actual healing period.

XVI. Eye lost, compensation for one hundred twenty-six weeks, plus actual healing period.

XVII. Loss of hearing in one ear, compensation for fifty-two weeks.

XVIII. Loss of hearing in both ears, compensation for two hundred fourteen weeks.

XIX. Compensation for the loss of more than one phalange of a digit shall be the same as for the loss of an entire digit. Compensation for the loss of the first phalange shall be one-half of the compensation for the loss of the entire digit.

XX. Compensation for an arm or leg if amputated at or above the elbow or at or above the knee, shall be the same as for the loss of the arm or leg, but if amputated between the elbow and the wrist, or the knee and the ankle, shall be the same as for the loss of hand or foot.

XXI. Compensation for loss of eighty per cent or more of the vision of an eye shall be the same as for the loss of an eye.

XXII. Compensation for loss of two or more digits or one or more phalanges of two or more digits of a hand or foot, may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for loss of hand or foot.

XXIII. Compensation for permanent total loss of use of a member shall be the same as for the loss of the member; provided, however, that if amputation or surgery subsequently becomes necessary with respect to such member either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional actual healing period, but said employee shall not be entitled to additional compensation for loss of said member.

XXIV. In the case of permanent partial loss of use of any member specified in the preceding paragraphs due to actual injury to such member, either at the time of the accident or in the course of treatment, compensation shall be determined on a pro rata basis by applying the percentage of actual disability of such injured member against the awards specified herein for total loss or loss of use of the same member; provided, however, that if amputation or surgery subsequently becomes necessary with respect to such member either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional actual healing period, and provided further that said employee shall be entitled to additional compensation in an amount not exceeding the difference between the amount provided for loss of said member and the amount previously awarded under this paragraph.

XXV. Compensation for loss of less than one phalange of a digit shall be not less than one-quarter of the compensation for the entire digit.

XXVI. In the event that an employee has been awarded compensation for loss of a member under this section and in the event that amputation or surgery becomes necessary, with respect to another member of which the original member was or is a component part, either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional actual healing period; provided, however, that said employee shall be entitled to additional compensation in an amount not exceeding the difference between the amount originally awarded and the amount provided for loss of the member with respect to which amputation or surgery subsequently becomes necessary.

14 Single Payments. Amend RSA 281:26-a (supp) as inserted by 1959, 187:6, by adding at the end thereof the follow-

ing new paragraph: IV. When compensation is payable under the provisions of section 26 and the agreement provides for an award not in excess of twenty weeks' compensation, such compensation may be paid in one sum upon approval by the labor commissioner following completion of forms provided for the purpose. Such a payment shall not be considered to be a lump sum settlement and neither shall it bar an employee from invoking the provisions of section 40 of this chapter.

15 Benefit Period. Amend RSA 281:30 (supp) as amended by 1955, 98:9, 1957, 187:14, 1959, 187:14 and 1961, 194:13, by striking out the same and inserting in place thereof the following: 30 Maximum Benefits. In no case, except as provided in sections 23, 26, 29 and 30-a, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed forty-five dollars per week in amount, nor shall any payments, including medical, hospital services, and other remedial care under section 21, extend over a period of more than three hundred and forty-one weeks from the date of the injury.

16 Extension of Medical Benefits. Amend RSA 281:30-a (supp) as inserted by 1961, 194:14, by striking out said section and inserting in place thereof the following: 281:30-a Additional Medical, Hospital, or Other Remedial Care in Unusual Cases. With respect to accidents occurring after July 1, 1961, whenever an employee has received medical, hospital, or other remedial care during the last six months of any period during which compensation is payable under the provisions of this chapter, pursuant to a six months' extension granted by the labor commissioner, as herein provided, the labor commissioner may grant an extension of such medical and hospital benefits, or other remedial care, upon application duly made therefor, to such extent and for such additional period as he may determine, not exceeding one year, except as otherwise provided. The employer shall be given prompt notice of such request, and, unless the employer agrees to such request within ten days, no such request shall be granted until the injured employee shall have been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the



labor commisisoner under this act. If, at the end of one year, any such benefits are still being received pursuant to an extension granted hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

17 Second Injury Fund. Such parts of RSA 281:48 as provided for payments into the second injury fund are hereby suspended for the period of July 1, 1963 to July 1, 1965.

18 Salary. Amend RSA 94:1 (supp) as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1; 223:2; 274:4, 7; 315:2; 1959, 199:4; 268:12; 1961, 221:4 by, on the line entitled Commissioner of the Department of Employment Security," striking out in the minimum and maximum salary columns the figures applicable to said position and inserting in the "minimum" column the figure, \$11,478.22, and in the "maximum" column the figure, \$13,064.22.

\* \* \*

On motion of Mr. Angus of Claremont, reading of the amendment was dispensed with and Mr. Angus moved that the House non concur in the Senate amendments and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Messrs. Angus of Claremont, Sanders of Concord and Gallagher of Hudson as conferees on the part of the House.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 536, relating to the expenses of the public utilities commission.

### Amendment to HB 536

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Expenses Assessed. Amend RSA 363-A:2 (supp) as inserted by 1955, 203:1 and as amended by 1959, 242:2, by strik-

ing out said section and inserting in place thereof the following: 363-A:2 Assessment. The expenses thus ascertained in an amount not exceeding one hundred fifty thousand dollars, shall be assessed against the public utilities described in the foregoing section in the manner herein provided. The public utilities commission shall establish reasonable classifications of public utilities, and shall determine the share of its expense attributable to each such class. Each such share shall be assessed against the several public utilities comprising the class in such proportion as the public utilities commission shall determine to be fair and equitable.

\* \* \*

The Clerk read the amendment.

Mr. Larty of Haverhill moved that the House non-concur in the Senate amendment and that a committee of conference be appointed.

The motion was adopted and the Chair appointed Mr. Larty of Haverhill, Mrs. Palmer of Plaistow and Mr. Kearns of Manchester as conferees on the part of the House.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 337, An act relating to hours of labor, one day rest in seven, and payment of wages.

HB 398, An act relative to policemen's retirement system.

HB 574, An act relative to the stock in trade tax.

HB 586, An act extending the time when expenditures can be made from certain aeronautical appropriations.

HB 611, An act relative to contested elections.

HB 650, An act relative to the Lisbon Village district.

SB 37, An act relative to recounts.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon

\* \* \*

The Chair announced that today is the 76th birthday of the member of Nashua Ward 8 Mr. Bouley, and that tomorrow is the 46th wedding anniversary of Mr. and Mrs. Urie of New Hampton.

\* \* \*

On motion of Mrs. Ainley of Manchester the House adjourned from the morning session.

### Afternoon Session

On motion of Mr. Pickett of Keene the rules of the House were so far suspended as to permit third reading of a bill by title only, and that when the House adjourns today it be to meet tomorrow morning at 11:00 A.M.

SB 17, to make appropriation for a state-owned aircraft, was read a third time, passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Howard of Bartlett the House adjourned at 6:17 P.M.

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SATURDAY, JUNE 29, 1963

The House met at 11:00 A. M.

### Joint Convention

Prayer was offered by the Chaplain as follows:

O THOU, who art Divine in all wisdom and knowledge, comfort us in this day of quickening demands accompanied with important decisions. Grant us the power of Thy renewing strength to perform our every duty with a clear mind, understanding the vision of Thy truth. Lift us above all selfishness in our efforts to perfect our laws and their administration. Give voice to our inner thoughts of love, justice, and mercy as we seek the common good for our "Granite State" citizens. As we approach the conclusion of this session, may we sense the inner joy of knowing that we have been good stewards, faithful in

our every endeavor for Thee. May we abound in works worthy of our involvement and fruitful in our constant witness for our American goals. Keep us ever alert to ways of service in which we may contribute to the peace and prosperity of all Thy servants. In Thy Name we pray. Amen.

### **Pledge of Allegiance to the Flag**

Mrs. Taylor of Whitefield led the Convention in the Pledge of Allegiance to the Flag.

### **House**

#### **Leaves of Absence**

Mrs. Gowing of Dublin and Mr. Feldman of Manchester were granted leave of absence for the day on account of important business.

Mr. Rolfe of Rochester was granted leave of absence for the day on account of illness.

\* \* \*

The Chair asked unanimous consent that the permanent Journal be corrected to show that the rules of the House were so far suspended as to dispense with the reference to the Appropriations committee on the following Bills:

HB 621, relative to the production, distribution and sale of milk and other dairy products.

HB 592, An act imposing taxes on the net income of all businesses, services and business operations conducted within the state, and providing for the abolition of certain taxes.

Such consent was granted.

### **Engrossed Bills Report, Joint Rule 6**

HB 112, relating to the advertising of beverages, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment.

### **Amendment to HB 112**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to on-sale permits for sale of beverages.

\* \* \*

The Clerk read the amendment.

On motion of Mr. Kearns of Manchester, the House concurred in the amendment.

SB 125, relative to laying out highways, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment.

### **Amendment to SB 125**

Amend RSA 234-A:3 as inserted by section 2 of SB 125 by striking out the first six lines thereof and inserting in place thereof the following:

234-A:3 Notice and Hearing. The selectmen shall appoint forthwith a time for examining the premises and hearing parties in interest, and give twelve days' notice thereof to one or more of the petitioners. They shall also give like notice to persons owning or having an interest in lands through which the right of way to

\* \* \*

The Clerk read the amendment.

On motion of Mr. McMeekin of Haverhill the House concurred in the Senate amendment.

\* \* \*

Mr. Johnson of Hanover withdrew his notice of reconsideration on SB 1, relative to form of ballots.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred Senate Bill No. 7, increasing the salary of the Hillsborough County Attorney, having considered the same, report the same with the following recommendations:

That the title of the bill be amended by striking out said title and inserting in place thereof the following: An Act increasing the salaries of the county attorney and county commissioners of Hillsborough County.

That the house recede from its position of non-concurrence, and that the senate recede from its position in adopting its amendment to section 1 of the bill and concur in the adoption of the house amendment to said section.

That the bill be further amended by inserting after section 1 the following new section: 2 Hillsborough County Commissioners. Amend RSA 28:28 (supp), as amended by 1955, 247:4 and 269:1, 1957, 182:1 and 246:1, 1961, 80:1, 157:1 and 210:1, by striking out in the eighth line the words "In Hillsborough, four thousand dollars" and inserting in place thereof the words, In Hillsborough, forty-five hundred, so that said section as amended shall read as follows: 28:28 Commissioners. The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, twenty-five hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, forty-five hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Amend section 2 of the bill by striking out the figure "1963" and inserting in place thereof the figure, 1965, and by renumbering said section to read section 3 as follows: 3 Takes Effect. This act shall take effect as of January 1, 1965.

Mr. Peterson of Peterborough

Mr. Underhill of Nashua

Mr. Conover of Manchester

Conferees on the part of the House

Senator Paquette

Senator Green

Conferees on the part of the Senate

Mr. Peterson of Peterborough spoke in favor of the report.

The report was adopted.

### Resolution

Mr. Pickett of Keene offered the following resolutions:

*Whereas*, Reverend William L. Shafer of Chichester, the Chaplain of the House, has performed his duties diligently and been a source of inspiration to the members thereof,

*Now, therefore, be it Resolved by the House:*

That the Clerk be instructed to procure one thousand copies of the prayers of Reverend Mr. Shafer for the 1963 session in pamphlet form and distribute the same to each member and attache of the house and senate. There is hereby appropriated a sum not to exceed \$1,000 to be charged against the legislative appropriation.

Mr. Pickett of Keene spoke in favor of the resolutions.

Mr. Maxham of Concord spoke in favor of the resolutions.

The Resolutions were unanimously adopted.

### Committee of Conference Reports

The Committee of Conference to whom was referred House Bill No. 290, An Act relative to the retirement age for state employees under the state employees' retirement system, having considered the same, report the same with the recommendation that the senate recede from its position in adopting its amendment and concur with the house in the passage of the bill.

Mr. Sherman of Lancaster  
Mr. McMeekin of Haverhill  
Mr. Claveau of Hudson  
Conferees on the Part of the House

Senator DeLude  
Senator Battles  
Conferees on the Part of the Senate

The report was adopted.

The Committee of Conference to whom was referred SB 116, relative to fees for insurance companies and brokers, recommends that the Senate recede from its position of non-concurrence and the House recede from its position in adopting the amendment.

The Committee of Conference further recommends that the following amendment be adopted:

Amend said bill by inserting after section 2 the following new section: 3 Revenue. Amend RSA 402 by inserting after section 56 the following new section: 402:56-a Disposition of Revenue. The fees collected under the preceding section shall be kept in a special fund by the state treasurer, and shall be expended for the administration of this title. Expenditures shall be in the discretion of the insurance commissioner, and the monies hereby made available shall be in addition to any other appropriation made for the insurance department.

Stephen D. Wheeler  
Edgar G. Varney  
John Latour  
Conferees on the Part of the House

Nelle L. Holmes  
Louis W. Paquette  
Conferees on the Part of the Senate

The report was adopted.

The Committee of Conference, to whom was referred House Bill No. 249, relative to the taking of wild black bear, having considered the same, report the same with the recommendation: That the house recede from its position in adopting its amendment, that the senate recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend the bill by striking out section 1 and inserting in place thereof the following: 1 Time for Taking Changed. Amend 208:22 (supp) as amended by 1961, 126:1 by striking out said section and inserting in place thereof the following: 208:22 Wild Black Bear. Wild black bear, outside of game preserves, may be taken and possessed from one-half hour before sunrise to one-half hour after sunset in all counties of the state from September 1 to December 10 inclusive provided that no bear shall be taken at any time on any island or in any waters or lakes or ponds. Wild black bear may be taken by the aid and use of dogs from September 1 to November 14 inclusive with written permission of the director or his agents. Wild black bear may be taken by the aid and use of dogs, firearms and by bow and arrow provided that no person shall take bear by the aid or use of a jack or artificial light, trap, snare, swivel, pivot or set gun or calibre .22 rimfire firearm unless otherwise herein



provided. Any person who kills a wild bear as provided by this section shall report as outlined in RSA 470:1-a. Landowners, or their agents, shall be permitted to set traps for bear doing actual or substantial damage to property. Such trapping shall only be permitted after the director or his agents has been notified of damage and have investigated such complaint. The director or his agents may then issue a special permit for the use of traps. Said permit shall state the location of traps and the dates when trapping shall be allowed. Any traps set as hereinbefore described shall be arranged and set in accordance with RSA 210:15. The carcass of a bear legally taken and reported may be bought and sold. Live bear may not be offered for sale at any time unless by a person permitted so to do by the director. Any person who violates any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

Mr. Welch of Concord  
Mr. Nettleton of Groton  
Mr. Vashaw of Berlin  
Conferees on the part of the house  
  
Senator Mitchell  
Senator Howard  
Conferees on the part of the senate

On motion of Mr. London of New London, reading of the report was dispensed with.

Mr. London explained the report.

(discussion ensued)

The report was adopted.

The Committee of Conference to whom was referred HB 366, establishing a comprehensive system of district courts, having considered the same recommend that the House recede from its position of non-concurrence with the Senate amendments and that the Senate recede from its adoption of its amendments, and that the following amendment be adopted by the Senate and House:

Amend the title of said bill by striking out the same and inserting in place thereof the following new title:

An act relative to a municipal court system with district courts.

Amend RSA 502-A:1 IV, VI and VII as inserted by section 1 of the bill by striking out the word "Hampstead" from IV and inserting the word "Hampstead" after the word "Plaistow" in VII, and by striking out the word "Atkinson" from VI and inserting the word "Atkinson" after the word "Newton" in VII, so that said three subsections shall read as follows:

IV Derry District. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The municipal court for the town of Derry is hereby constituted the district court in and for said district and shall be located in said Derry, holding sessions regularly therein, and elsewhere in said district as justice may require. The name of said court shall be Derry District Court.

VI Salem District. The Salem district shall consist of the towns of Salem and Windham. The municipal court for the town of Salem is hereby constituted the district court in and for said district and shall be located in said Salem, holding sessions regularly therein, and elsewhere in said district as justice may require. The name of said court shall be Salem District Court.

VII Plaistow District. The Plaistow district shall consist of the towns of Plaistow, Hampstead, Kingston, Newton, Atkinson and Danville. The municipal court for the town of Plaistow is hereby constituted the district court in and for said district and shall be located in said Plaistow, holding sessions regularly therein and elsewhere in said district as justice may require. The name of said court shall be Plaistow District Court.

Amend RSA 502-A:1 as inserted by section of the bill by renumbering paragraphs VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, and XXXVI, to read VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, and XXXVIII.

Amend RSA 502-A:6 as inserted by section 1 of the bill by inserting the words "city or" before the word "town" in the next to last line in paragraphs I, II, and III.

Amend RSA 501-A:6 as inserted by section 1 of the bill by striking out the number 501-A:6 and inserting in place thereof 502-A:6, and by adding at the end of said section the following:

IV. No local governing body shall be empowered to fix the salaries of any justice, special justice or clerk at an amount less than the amount which such official has been paid in his prior capacity as justice, special justice or clerk of the municipal court which becomes a district court hereunder, plus an amount equal to the salary paid to the justice, special justice or clerk as the case may be of any municipal court in any town which by the terms of this act is included in the district court involved.

Amend 502-A:8 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

502-A:8 Duties of Clerks; Disposition of Fines. The clerk shall receive all fines and forfeits paid into the district court from any source. After deducting witness fees, costs of clerk's bond, if any, court seal, record books, printing blanks, and such other expenses as may be legally incurred in the maintenance and conduct of said court the clerk shall, except in cases otherwise provided, pay the same over to the treasurer of the city or town wherein said court is located for the use of said city or town. It is further provided that whenever fines are assessed on account of violations of Title XXXIV, RSA, relative to public utilities, Title XXXIX RSA, relative to aeronautics, Title X, RSA relative to public health, chapter 270 RSA, relative to navigation, chapter 282, RSA, relative to unemployment compensation, chapters 183, 184, 185, 341 to 344 inclusive, and chapters 284, 345, 425 to 429, 433, 434, 436 to 349, 440 to 443, RSA, relative to agriculture, or any other statutes wherein it is provided that the fines shall be paid to the state or to a department or agency of the state, the clerk of the district court shall deduct from each of said fines so collected by the court the sum of ten dollars and twenty per cent of that part of the fine which exceeds ten dollars, and after deducting witness fees, if any, and cost of clerk's bond, if any, shall pay over the balance to the state or department or agency to whom due, within seven days after receipt thereof. The part of said fines deducted by the clerk as hereinabove provided shall be retained and used for payment of expenses of the court.

Amend RSA 502-A:11 as inserted by section 1 of the bill by adding at the end thereof the following: Provided, however,

that any town which may vote to continue its municipal court in accordance with the provisions of section 35 of this chapter shall have exclusive jurisdiction over offenses committed within the confines of that town, in accordance with the provisions of RSA 502:18, until such municipal court is subsequently abolished under the provisions of section 35 of this chapter, so that said section as amended shall read as follows:

502-A:11 Criminal Cases, District Courts. Each district court shall have the powers of a justice of the peace and quorum throughout the state and shall have original jurisdiction subject to appeal of all crimes and offenses committed within the confines of the district in which such court is located which are punishable by a fine not exceeding one thousand dollars or imprisonment not exceeding one year, or both, provided, however that any town which may vote to continue its municipal court in accordance with the provisions of section 35 of this chapter shall have exclusive jurisdiction over offenses committed within the confines of that town, in accordance with the provisions of RSA 502:18, until such municipal court is subsequently abolished under the provisions of section 35 of this chapter.

Amend 502-A:14 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

502-A:14 Civil Causes. I. Exclusive Jurisdiction. District courts in which the salary of the justice exceeds ten thousand dollars per year shall have original and exclusive jurisdiction of civil cases in which the damages claimed do not exceed five hundred dollars, the title to real estate is not involved and all parties live within the district.

II. Concurrent Jurisdiction. All district courts shall have concurrent jurisdiction with the superior court of civil actions for damages in which the damages claimed do not exceed fifteen hundred dollars and the defendant resides within the county where such court is located. In all such actions unless trial by jury is claimed as hereinafter provided, the parties shall be heard by the justice or special justice and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same manner as from the superior court.

III. Transfers to Superior Court. If the defendant upon entry of any action under this section within five days of the entry thereof or such additional time as the district court may

for good cause allow file in the district court a brief statement setting forth that: (a) There is pending in the superior court a cause arising out of the same transaction or situation on which the district court action is based, or (b) That the defendant has a claim arising out of the same transaction or situation in which his claim for damages exceeds five hundred dollars, and (c) accompanies his brief statement with an affidavit under oath supporting the same, then no further proceeding shall be had in the district court but the cause shall be at once transferred to the superior court for the county in which the district is located to be heard and tried as if originally entered in the superior court, the original entry fee and cost of transferring the action to be paid by the plaintiff but recoverable as costs if the plaintiff shall prevail. If no petition to remove is filed, the cause shall be heard by the justice or special justice in the district court and the findings of fact shall be final but questions of law may be transferred to the supreme court in the same manner as from the superior court.

Amend 502-A:15 as inserted by section 1 of the bill by striking out the same and substituting therefor the following:

502-A:15 Jury Trial. In cases where the damages claimed exceed five hundred dollars or the title to real estate is involved, if the defendant, upon the entry of any action for damages under section 14 (II), shall within five days of the entry thereof or such additional time as the district court for good cause may allow, file a written request for trial by jury, the cause shall be at once transferred to the superior court for the county in which the district is located, to be heard and tried as if originally entered therein, the original entry fee and cost of transferring the action to be paid by the plaintiff but recoverable as costs if the plaintiff shall prevail therein.

Amend RSA 502-A:16, as inserted by section 1 of the bill by striking out the last sentence so that said section as amended shall read as follows:

502-A:16 Venue in Civil Causes. Actions shall be returnable to the district court of the judicial district where either plaintiff or defendant resides.

Amend RSA 502-A:26, as inserted by section 1 of the bill, by striking out the last two lines thereof, so that said section as amended shall read as follows:

502-A:26 Disqualification of Justices, Etc. No justice, special justice or clerk of any district court shall be retained or employed as attorney in any action, complaint, or proceeding pending in his court, or which has been examined or tried therein. No justice shall be retained or employed as an attorney in any matter pending before any other district court. No attorney shall be permitted to practice before any district court where any justice thereof is associated with said attorney in the practice of law. No justice whose salary exceeds ten thousand dollars per year shall be permitted to engage in the practice of law.

Amend RSA 502-A:40 paragraph I, as inserted by section 1 of the bill, by striking out said paragraph and inserting in place thereof the following:

I. An article providing for the continuation of the local municipal court may be inserted in the warrant for the annual town meeting for the year 1964 or any special meeting called prior thereto for the purpose. The question shall be submitted in writing in the following form in all towns using a printed ballot: Shall the town of ..... continue to maintain its existing municipal court so long as its present judge remains in office? / Yes ( ) No ( ) /

Amend RSA 502-A as inserted by section 1 of the bill by striking out sections 502-A:20 through 24 inclusive and renumbering sections 502-A:25 through 502-A:41 to read: 502-A:20, 502-A:21, 502-A:22, 502-A:23, 502-A:24, 502-A:25, 502-A:26, 502-A:27, 502-A:28, 502-A:29, 502-A:30, 502-A:31, 502-A:32, 502-A:33, 502-A:34, 502-A:35, 502-A:36.

Amend section 5 of the bill by striking out the last sentence thereof and substituting therefor the following:

As to any towns which continue to be served by municipal courts as permitted under RSA 502-A:40, RSA 502 and any other provisions of the revised statutes annotated pertaining to the jurisdiction, powers and duties conferred upon municipal courts shall continue in effect, except that RSA 502 (supp), sections 20, 21, 33 through 44, 49, 50 and 51 are hereby repealed, and section 18 is hereby amended by striking out the same and substituting therefor the following:

502:18 Criminal Cases, Municipal Courts. Municipal courts shall have the powers of the justice of the peace and quorum throughout the state, and shall have original jurisdic-

tion, subject to appeal, of all crimes and offenses committed within the confines of the town wherein such courts are located, which are punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both.

Amend the bill by inserting a new section 6 and renumbering section 6 to read number 7.

6 Amend RSA 597 by inserting the following new section 15-A:

597:15-A District Courts. District courts upon petition by the aldermen of any city or the selectmen of any town in the county in which the district is located may appoint three or more justices of the peace and quorum as commissioners authorized to fix and receive bail in criminal cases to be brought before said courts as hereinafter provided.

Ralph W. Totman

Gilbert Upton

Harry V. Spano

Conferees on the part of the House

Herbert W. Rainie

Samuel Green

Conferees on the part of the Senate

On motion of Mr. Upton of Concord, reading of the amendment was dispensed with.

Mr. Stafford of Laconia moved that the Clerk read the report.

The motion was not adopted.

Mr. Upton of Concord explained the report.

(discussion ensued)

Mrs. Greene of Rye spoke against one section of the report.

Mr. Spanos of Newport moved that the committee of conference report be laid on the table.

The motion was adopted.

\* \* \*

### Message from Governor King

Mr. Stark, Secretary of State, appeared and read the following message from His Excellency, Governor John W. King:

To the Honorable Stewart Lamprey  
Speaker of the House of Representatives

The Legislature has enacted HB 47 establishing a Sweepstakes in New Hampshire. Previously I asked for and received an appropriation to implement the law.

SB 139, prepared and introduced at my direction, is a necessary piece of legislation to assure improved implementation of the Sweepstakes.

I believe that all members of this Honorable Body, whether they supported or opposed the original Sweepstakes Law, believe it is wise to eliminate from it any impediments which might stand in the way of proper implementation. That is the purpose of SB 139.

Now that the bill has been printed in the Senate Journal (pp 1025-1028) under date of June 27, all members of the Legislature have it available.

I hope you will see fit to enact SB 139.

\* \* \*

Mr. Totman of Alstead moved that the rules of the House were so far suspended as to permit a public hearing at 1:00 P.M. today on SB 139.

Messrs. Pappagianis of Nashua and Peterson of Peterborough spoke in favor of the motion.

The motion was adopted.

\* \* \*

### **Taken From the Table**

On motion of Mr. Spanos of Newport HB 366 was taken from the table.

The question is on the adoption of the committee of conference report.

Mr. Prior of Ashland spoke against one section of the report.

Mr. Upton of Concord spoke a second time to explain the section the members from Rye and Ashland objected to.

(discussion ensued)



Mrs. Grey of Canaan moved that HB 366 be laid on the table and spoke in favor of the motion.

The motion was not adopted.

Mr. Goodhue of Gilford spoke in favor of the conference report.

The report was adopted.

The following members wished to be recorded as voting against adopting the report: Messrs. Stafford of Laconia, Felch of Seabrook, Sherman of Lancaster, Taft of Greenville, Plumer of Bristol, Blake of Madison, Heald of Keene, Brocklebank of Hollis, Hackler of Swanzey, Stafford of Portsmouth, Warren of Lyndeborough and the Mesdames Greene of Rye, Morrison of Salem, Legasse of Portsmouth, Howard of Bartlett, Messrs. Lamprey of Tuftonborough, Cushing of Orford, Young of Rye, and Mrs. White of Portsmouth.

Mr. Pickett of Keene demanded the Yeas and Nays and subsequently withdrew his demand.

### Reports (cont.)

SB 98, regulating the issuance of motor vehicle dealer plates, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment, Joint Rule 6.

### Amendment to SB 98

Amend section 1 of said bill by striking out the first nine lines and inserting in place thereof the following:

1 Motor Vehicle Dealer Defined. Amend paragraph VI of RSA 259:1 by striking out said paragraph and inserting in place thereof the following:

VI. "Dealer," every person principally engaged in the business of buying,

Further amend said section by inserting after the word "automobiles" in the twenty-third line the words, said space may be used for other related purposes,

Amend section 2 of said bill by striking out the first line and inserting in place thereof the following:

## 2 Application for Plate. Amend RSA 260:45

\* \* \*

On motion of Mrs. Ainley of Manchester the House concurred in the amendment.

HB 357, establishing a charter for the city of Manchester, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment, Joint Rule 6.

**Amendment to HB 357**

Amend section 145 of said bill by striking out the figures "141, 142, 143 and 144" and inserting in place thereof the figures 138, 139, 140 and 141.

Amend section 232 of said bill by striking out the figure "229" in the seventh line and inserting in place thereof the figure 225.

Amend section 234 of said bill by striking out the figures "229, 231 and 232" and inserting in place thereof the figures 225, 227 and 228. Further amend said section by striking out the figure "233" and inserting in place thereof the figure 229.

Amend section 266 of said bill by striking out the figure "276" and inserting in place thereof the figure 272.

Amend section 277 of said bill by striking out the figures "266 and 276" and inserting in place thereof the figures 262 and 272.

Further amend said bill by renumbering sections 65-75, inclusive, to read sections 64-74, inclusive.

Further amend said bill by renumbering sections 77-89, inclusive, to read sections 75-87, inclusive.

Further amend said bill by renumbering sections 91-179, inclusive, to read sections 88-176, inclusive.

Further amend said bill by renumbering sections 181-277, inclusive, to read sections 177-273, inclusive.

\* \* \*

On motion of Mrs. Ainley of Manchester the House concurred in the amendment.

### Senate Messages

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 630, providing for collection of taxes on property being re-assessed.

### Amendment to HB 630

Amend section 1 of said bill by striking out the twenty-seventh line and inserting in place thereof the following:

2 Time Limitation. Amend RSA 71:13 (supp) as

Further amend said bill by renumbering section 2 to read section 3.

\* \* \*

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee of Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 180, relative to the incorporation of trust companies.

### Amendment to HB 180

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1 Trust Companies. Amend RSA 392:1 by striking out said section and inserting in place thereof the following: 392:1 Incorporation Board. The bank commissioner, the state

\* \* \*

On motion of Mr. Bigelow of Warner the House concurred in the Senate amendment.

A further Senate message announced that with the unanimous consent of the Senate the President has appointed Senator Green in place of Senator Whalen as a senate member of the

Committee of Conference to whom was referred HB 532, relative to classification of temporary and seasonal state employees.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 532, relative to classification of temporary and seasonal state employees, having considered the same, report the same with the recommendation that the senate recede from its position in adopting its amendment that the house recede from its position of noconcurrence and that the house and senate concur in the adoption of the following amendment:

Amend the bill by inserting after section 1 a new section as follows: 2 Exceptions. The provisions of this act shall not apply to any employee of the department of public works and highways except all grades of toll attendants.

Futher amend the bill by renumbering section 2 to read 3.

Mr. McMeekin of Haverhill  
Mr. Smith of Plymouth  
Mr. Eastman of Weare  
Conferees on the part of the house

Senator DeLude  
Senator Green  
Conferees on the part of the senate

The report of the Committee of Conference was adopted.

The Senate message announced that the Senate has voted to concur with the House of Representatives in its amendments to the following Bills:

SB 3, permitting the hunting of deer with muzzle-loaders.

SB 33, to provide an industrial agent for the three northern counties.

SB 61, relative to credit unions.

SB 115, relative to early land acquisition by Nashua Housing Authority.

SB 118, relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach.

A further message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

HB 112, relative to on-sale permits for sale of beverages.

SB 125, relative to laying out highways.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 316, relative to taking of pheasants.

#### **Amendment to HB 316**

Amend the bill by striking out section 1 and inserting in place thereof the following:

1 Open Season Defined. Amend RSA 209:2 (supp) as amended by 1957, 80:1, by striking out said section and inserting in place thereof the following: 209:2 Pheasants. Pheasants may be taken and possessed from October first to October thirty-first, except that section of Rockingham and Strafford counties east of the following described line shall be open to the taking of male pheasants only: commencing at the Massachusetts-New Hampshire state line where route 125 enters New Hampshire in the town of Plaistow and continuing in a northerly direction along route 125 to route 11 in the city of Rochester and thence along route 11 to the Maine state line and southerly of route 101 from where it intersects route 125 westerly to the Vermont border. No person shall take more than two pheasants in one day. No person shall take more than ten pheasants in any one calendar open season, or have in his possession at one time more than two days' bag limit of pheasants.

\* \* \*

On motion of Mr. London of New London the House concurred in the amendment.

A further Senate message announced that the Senate has passed the following concurrent resolutions, in the passage of which it asks the concurrence of the House of Representatives:

**Concurrent Resolution**

*Resolved* by the Senate, the House of Representatives concurring, that the constitutional convention which is to convene in 1964 consider submitting to the voters the question whether the constitution should be amended so as to provide that legislative salaries and expenses be established in the same manner as the salaries of all other state officials are established.

Mr. Ferguson of Concord moved that the concurrent resolution be laid on the table.

The motion was adopted.

A further Senate message announced that the Senate has voted to adopt the recommendations of the Committees of Conference to whom was referred the following entitled bills:

HB 249, relative to the taking of wild bear.

HB 485, relative to building and loan associations.

HB 290, relative to the retirement age for state employees under the state employees' retirement system.

HB 273, relating to investments of savings banks.

HB 532, relative to classification of temporary and seasonal state employees.

SB 7, increasing the salary of the Hillsborough county attorney.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

HB 616, relative to the definition and elementary school and school district liability.

HB 363, providing for the acquisition of certain water rights and dams controlling the Contoocook River.

HB 430, providing for control of aquatic nuisances in any of the surface waters of the state.

HB 601, relating to the counting of votes at biennial elections.

HJR 40, in favor of Earl Hill of Pittsfield.

HB 641, relative to business corporation law.

HB 524, empowering the state to reimburse towns for loss of taxes under certain circumstances.

HB 340, relative to mileage rate for all state employees using privately owned passenger vehicles.

HB 106, relative to the relocation of a portion of the central New Hampshire turnpike.

HB 596, An Act adopting the uniform narcotic drug act relating to the pharmacy commission.

HB 487, relative to purchases of liquor by state liquor commission.

HB 638, relative to relocation of road in Rye.

SB 68, relating to the reorganization of public higher education in New Hampshire.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 581, relating to workmen's compensation.

and the President has appointed as members of said Committee on the part of the Senate: Senator Olson and, Senator Lamontagne.

The Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 536, relating to the expenses of the public utilities commission.

and the President has appointed as members of said Committee on the part of the Senate: Senator DeLude and Senator Mitchell.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

HB 605, relative to Delinquent Corporations.

HB 348, to authorize banks to invest in service corporations.

A further Senate message announced that the Senate has voted to adopt the 2nd recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 475, relating to trustee process on banks and similar corporations.

### **Committee of Conference Report**

The Conference Committee to whom was referred HB 475, relating to trustee process on banks and similar corporations, having reconsidered the same hereby recommend that the House recede from its position in adopting the Conference Committee Report and that the Senate Recede from its position in adopting the Conference Committee Report; and further recommend that the Senate and House adopt the following amendment to said bill:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Trustee Process. Amend RSA 512 by inserting after section 9-a (supp) as inserted by 1959, 102:1, the following new section: 512:9-b Bank Accounts. When a bank, trust company, building and loan association or similar corporation is named as trustee, the trustee shall be summoned by service on an officer, person in charge, teller or office employee of such bank, trust company, building and loan association or similar corporation at its office if service is made during banking hours, and if service is made at a time other than banking hours, by serving on an officer of such bank, trust company, building and loan association or similar corporation, and not otherwise. The trustee so served shall not be chargeable for any goods, rights or credits of the defendant which shall come into the hands of the trustee subsequent to the time of the trustee's disclosure.

Ralph W. Totman

Robert W. Moran

William Johnson

Conferees on the part of the House

Senator Rainie

Senator Green

Conferees on the part of the Senate



A further Senate message announced that the Senate has voted to reconsider its action whereby it discharged its second Committee of Conference on the following entitled bill:

HB 290, relative to the retirement age for state employees under the state employees' retirement system.

and has reinstated the members of said second committee of conference on the part of the Senate: Senator DeLude and, Senator Battles.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 186, repealing the taxation on livestock and poultry.

#### **Amendment to HB 186**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Oxen, Cows, Etc. Amend paragraph V of RSA 72:15 by striking out said paragraph and inserting in place thereof the following: V. Neat Stock. In the tax year commencing April 1, 1964, oxen, cows, and other neat stock over twenty-four months old, in excess of the aggregate value of one thousand dollars.

2 Poultry. Amend paragraph VII of RSA 72:15 by striking out said paragraph and inserting in place thereof the following: VII. Poultry. In the tax year commencing April 1, 1964, poultry of every description over four months old in excess of the aggregate value of three hundred and fifty dollars.

3 Repeal. Paragraph IV of RSA 72:15, relating to the taxation of draft animals, and paragraph VI of RSA 72:15, relating to the taxation of sheep, goats and hogs, are hereby repealed.

4 Affidavits Required. Any owner of a herd of animals or flock of poultry requesting an exemption provided for the tax year commencing April 1, 1964 by RSA 72:15 V or VII as inserted by this act shall file with the assessing officials an affidavit under oath that no part of said herd or flock has been purchased, received, transferred or sold for the purpose of gaining an ad-

ditional tax exemption, as provided by the paragraphs referred to hereinabove.

5 Takes Effect. This act shall take effect sixty days after its passage.

On motion of Mr. Larty of Haverhill the House concurred in the Senate amendment.

### **Engrossed Bills Report**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills & House Joint Resolution:

HB 185, An act relative to school district budget and approval of tax rate by tax commission.

HB 415, An act increasing the salary of the Belknap County treasurer.

HB 584, An act relative to Belknap County Recreational Area.

SB 45, An act relative to rates at State-Owned ski facilities.

SB 52, An act relative to firemen's retirement system.

SB 103, An act adopting the bus taxation proration and reciprocity agreements.

SB 108, An act relative to the application of federal funds for civil defense.

SB 109, An act adopting the compact on taxation of motor fuels consumed by interstate buses.

SB 130, An act relative to cost of vaccinating infected animals.

SB 131, An act relative to the use of transporter plates.

HJR 10, Joint Resolution providing supplemental appropriation for education of the deaf.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon  
For the Committee

### Resolutions

Mr. Peterson of Peterborough offered the following resolutions:

*Whereas*, in the interest of economy it is desired to reduce the number of printed bound journals of the house and the session laws, therefore be it

*Resolved*, That all members and attaches desiring a bound journal of this session and a bound copy of the session laws file their requests with the Sergeant-at-Arms office by Alice Pinkham, and be it further

*Resolved*, That only those members and attaches who file such requests shall receive these bound volumes.

The resolutions were adopted.

### Recess

### After Recess

### Committee Report

Mr. Larty of Haverhill moved that the rules of the House be so far suspended as to permit the introduction of a committee report not advertised in the Journal for two days. SB 55.

Mr. Geisel of Manchester spoke in favor of the motion.

Mr. Plumer of Bristol spoke against the motion.

(discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

At the request of Mr. Plumer of Bristol the Clerk read SB 55 and HB 41 in full.

Mrs. Brown of Sandwich spoke in favor of the motion.

(discussion ensued)

(Mr. McMeekin of Haverhill in the Chair)

Mr. Hill of Conway, Brummer of Lisbon and Kimball of Derry spoke against the motion.

Messrs. O'Shan of Laconia, and Stevenson of Bethlehem spoke in favor of the motion.

### Personal Privilege

Messrs. Pickett of Keene and Plumer of Bristol rose on a point of personal privilege.

Mrs. Hayward of Hanover moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on the suspension of the Rules.

On a *viva voce* vote the Nays appeared to have it.

Mr. Geisel of Manchester requested a division.

78 members having voted in the affirmative and 104 in the negative, the motion to suspend the rules was lost.

### Conference Committee

The Committee on Conference to whom was referred House Bill No. 653, An Act making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, having considered the same, report the same with the following recommendations:

1 That the House recede from its position of non-concurrence in the amendments to sections 1 and 3 as adopted by the Senate and concur in said amendments; and

2 That the House and Senate adopt the following amendments:

Amend the title of the bill by adding at the end thereof, after the word "New Hampshire" the following: , and authorizing temporary authority for the adjusting of salaries of certain state officials.; so that said title as amended shall read as follows:

### An Act

Making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, and authorizing temporary authority for the adjusting of salaries of certain state officials.

Further amend said bill by striking out all after section 3 and inserting the following new sections:

4 University of New Hampshire. The sum of one hundred twenty five thousand dollars is hereby appropriated for the reconstruction of dairy buildings, equipment and facilities destroyed by fire. All contracts for reconstruction shall be let (1) at public sealed bidding, (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire, the first publication being not less than thirty days prior to the date the bids will be received, and (3) to the lowest responsible bidder.

5 Powers of Governor and Council. The governor and council are hereby authorized and empowered

I. To establish the priority of undertaking any projects hereinbefore enumerated:

II. To transfer funds from any project named in section 1 hereof to any other project in said section, provided such transfer is for the public good or is necessary to keep within the funds appropriated.

III. To delete projects or parts of projects provided such deletion is for the public good or is necessary to keep within the funds appropriated.

IV. To substitute emergency long term repair projects for any of the projects hereinbefore enumerated, if such substitution is necessary for the public good; and

V. To cooperate with and enter in such agreements with the federal government or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

6 Expenditures. The appropriation made for the purposes mentioned in sections 1, 3 and 4 and the sums available for those projects shall be expended by the trustees, commission, commissioner, or department head of the institutions and departments referred to therein, except as provided in section 7, provided that all contracts for projects and plans and specifications therefore, excepting those provided in section 4, shall be awarded in accordance with the provisions of RSA 228:4. The appropriations made and the sums available for the projects in section 2 above shall be expended by the state board of education, provided that all contracts for projects and plans and

specifications therefore shall be awarded in accordance with the provisions of RSA 228:4.

7 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2, except such land, if any, as may be acquired under the appropriation for water resources board, shall be purchased by the Commissioner of public works and highways, with the approval of the governor and council. The site recommended for purchase shall also have the approval of the governor and council.

8 Borrowing Power. To provide funds for the appropriations made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of eight million three hundred forty-one thousand one hundred fifty dollars (\$8,341,150); to provide funds for the appropriations made in section 2 hereof not exceeding the sum of four million three hundred thirty-four thousand eight hundred eleven dollars (\$4,334,811); to provide funds for the appropriation made in section 3 hereof not exceeding the sum of one hundred eighty-five thousand one hundred dollars (\$185,100); and to provide funds for the appropriation made in section 4 hereof not exceeding the sum of one hundred twenty-five thousand dollars (\$125,000); and for said purposes may issue bonds and notes in the name and on behalf of the State of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the date when interest shall be paid and the time or times of issue. Such bonds and notes shall be paid as follows: bonds and notes issued to provide funds for the appropriations made in sections 1 and 4 shall be paid within a period of twenty years; bonds and notes issued to provide funds for the appropriations made in section 2 shall be paid within a period of thirty years; and bonds or notes issued to provide funds for appropriations made in section 3 shall be paid within a period of ten years. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

9 Payments. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 3 shall be made when due from the general funds of the state. The payment of principal and interest on bonds and notes issued for the projects in sections 2 and 4 shall be made when due from

the general funds of the state but shall be liquidated as provided in section 15 hereof.

10 Proceeds from Sale. The proceeds of the sale of said bonds or notes authorized by section 8 shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of sections 1, 2, 3, and 4 above. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all funds expended or due for the purposes herein authorized.

11 Accounts. The secretary of state shall keep an account of all bonds or notes authorized hereunder countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer, and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for same, the date of sale and the date of maturity.

12 Short Term Notes. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on short term loans exceed the following sums: (1) not exceeding the sum of eight million three hundred forty one thousand one hundred fifty dollars for borrowing to provide funds for the purposes of section 1; (2) not exceeding the sum of four million three hundred thirty four thousand eight hundred eleven dollars for borrowing to provide funds for the purposes of section 2; (3) not exceeding the sum of one hundred eighty five thousand one hundred dollars for borrowing to provide funds for the purposes of section 3; and (4) not exceeding the sum of one hundred twenty five thousand dollars for borrowing to provide funds for the purposes of section 4.

13 Sale of Bonds or Notes. All bonds or notes, except short term loans issued under the provisions of this act, shall be sold at public sealed bidding to the highest bidder, provided, however, that the governor and council may reject any or all bids and may negotiate for said sale upon terms which it may deem most advantageous to the state.

14 Public Works. The department of public works and highway shall keep an accurate breakdown of all department charges, including consultative conferences, on all projects authorized hereunder, excepting those provided under section 4.

15 Liquidation. The state board of education shall establish and charge board and room rental rates for the use of the commons building and dormitories at Keene teachers college and shall establish and charge board and room rental rates for the use of the commons building and dormitories at Plymouth teachers college as provided in section 2 hereof. Said rates shall be sufficient to amortize the investment in said commons and dormitories. The revenue from said board and room rental rates for the commons and dormitories at Keene teachers college and the revenue from said board and room rental rates for the commons and dormitories at Plymouth teachers college shall be paid into the respective funds of said teachers colleges, provided that the state treasurer shall deduct from said respective funds such sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued under authority hereof for the projects at Keene teachers college and Plymouth teachers college respectively. The state treasurer is authorized to deduct from the fund accruing to the university under RSA 187:24, or appropriation in lieu thereof, for each fiscal year such sum or sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued under the authority of section 4 hereof.

16 Temporary Provisions. Whenever, in the judgment of the governor and council, it is in the best interest of state service to establish a higher salary or higher salary range for any unclassified position in state service, the governor and council may establish a higher salary or higher salary range for any such position. In the case of officials who are members of boards or commissions all of whose members under the foregoing table receive the same salary, and in the case of officials who are grouped with others in said table, special consideration may be given to individuals whose responsibilities differ from those of others in the same group. Additional funds necessary to provide for such increases shall be deemed a just charge against the salary adjustment fund. The authority herein granted to the governor and council may be exercised only until June 30, 1965.



17 Suspension: During the time the provisions of section 16 are in effect the provisions of the first unnumbered paragraph in RSA 94:1 immediately following the list of salary ranges for unclassified officials shall be suspended.

18 Takes Effect. This act shall take effect as of June 30, 1963.

Henry F. Goode  
William P. Gove  
George S. Pappagianis  
Conferees on the part of the House

Forrest W. Hodgdon  
Arthur M. Drake  
Conferees on the part of the Senate

On motion of Mr. Goode of Manchester the rules of the House were so far suspended as to dispense with reading of the report.

Mr. Goode of Manchester explained the report.

The motion was adopted.

The question now being on the adoption of the committee of conference report.

The report was adopted.

### Senate Messages

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 589, relative to group insurance.

The Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 392, relative to the sale of insurance in connection with real estate transactions.

**Committee of Conference Report**

The Committee of Conference to whom was referred House Bill No. 400, An Act to provide group life insurance, and groups hospital medical and surgical care for state employees, their families, and for retired state employees and their spouses, having considered the same report the same with the following recommendation: That the Senate recedes from its position of adopting its amendment and accepts the bill as passed by the House.

Joseph M. Eaton  
Agenor Belcourt  
Oscar C. Prescott  
Conferees on the part of the House

Forrest W. Hodgdon  
Robert S. Monahan  
Conferees on the part of the Senate

The report was adopted.

Mr. Angus of Claremont moved that the committee of conference on HB 581 be discharged and that a new committee be appointed.

The motion was adopted and the Chair appointed Messrs. Stevenson of Bethlehem, Dion of Manchester and LaFlamme of Concord as new conferees on the part of the House.

**Personal Privilege**

Mr. Geisel of Manchester rose on a point of personal privilege.

**Senate Message**

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, in new title and new draft, in the passage of which new title and new draft the Senate asks the concurrence of the House of Representatives:

HB 117 (In New Title and New Draft), relative to matters of state.

**HB 417 In New Title and New Draft**

relative to matters of state

1 Intra-Departmental Organization. All powers for making changes in intra-departmental organization and transferring appropriations as provided in RSA 126-A:2, II and III (supp) as inserted by 1961, 222:1, shall terminate on June 30, 1965.

2 Committee Established. There is hereby established a committee to study the needs of emotionally disturbed persons. Said committee shall consist of seven members six of whom shall be appointed by the governor and council, one shall be a justice of the superior court, one shall be a member of the New Hampshire bar association, one shall be a member of the New Hampshire department of probation, one shall be employed in the psychiatric department of the New Hampshire state hospital, one shall be a parole officer attached to the New Hampshire state prison, one shall be from the public at large and the seventh member shall be the warden of the New Hampshire state prison. It shall be the duty of said committee and it is hereby authorized to make a study of the necessity and feasibility and all other aspects necessary to the need of an alternate place of confinement other than a house of correction, jail or state prison for such persons whose emotional, psychological or general mental make-up is such that the aforementioned places of confinement would be impractical and said committee shall make a report of its findings and recommendations to the judicial council three months prior to the convening of the 1965 session of the general court.

3 Building Aid for Contracting School Districts. Amend RSA chapter 198 by inserting after section 15-g (supp), as inserted by 1957, 301:3, the following new section: 198:15-h Aid to Derry, Londonderry, Windham, Hampstead and Chester. Notwithstanding any other provisions of statute to the contrary, the state board of education shall pay annually to each of the school districts of Derry, Londonderry, Windham, Hampstead and Chester thirty per cent of the portion of the total tuition which each said district pays to Pinkerton Academy of Derry which is in payment of principal on the loan made by said academy for the purpose of constructing a new building and equipping the same, in accordance with paragraph 4 (c) of a certain agreement which each of said districts has entered

into with said academy, provided that the provisions of RSA 198:15-a relative to proration of any grant, shall apply to the grants herein provided for.

4 Penalty. Amend RSA 578:10 by striking out the same and inserting in place thereof the following: 578:10 Penalty. If any person shall be guilty of a breach of any provision of this chapter he shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both, unless otherwise specifically provided, and he may be required to give sureties to be of good behavior for one year.

5 Takes Effect. This act shall take effect sixty days after its passage.

Mrs. Greene of Rye moved to dispense with the reading of the amendment.

Mrs. Greene spoke in favor of the motion.

The motion was adopted.

Mrs. Greene of Rye moved that HB 417 be indefinitely postponed and spoke in favor of the motion.

Mr. O'Neil of Chesterfield and Mr. Cobleigh of Nashua spoke in favor of the motion.

The motion was adopted.

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 647, relating to life insurance limits in loans for educational purposes.

#### **Amendment to HB 647**

Amend the bill by inserting after section 1 the following new section: 2 Reimbursement. The sum of five hundred twenty-seven dollars and sixty-eight cents is hereby appropriated to Senator Nathan T. Battles, and the sum of five hundred twenty-four dollars and thirty cents is hereby appropriated to Senator Lucien E. Bergeron, and the sum of five hundred twenty-eight dollars and twenty cents is hereby appropriated to Senator Samuel Green, and the sum of five

hundred forty-two dollars and fifty cents is hereby appropriated to Senator Cecil Charles Humphreys to reimburse all of the above named for their expenses in attending the National Legislative Leaders Conference in the fall of nineteen hundred and sixty-one. The sums hereby appropriated shall be a charge upon the legislative appropriation.

Further amend the bill by renumbering section 2 to read section 3.

\* \* \*

Mr. Ferguson of Concord moved that HB 647 be indefinitely postponed and spoke in favor of the motion.

Messrs. Cobleigh of Nashua, Stevenson of Bethlehem spoke in favor of the motion.

Messrs. Wheeler of Exeter and Pickett of Keene spoke against the motion.

(discussion ensued)

(Mr. Peterson in the Chair)

Mr. Goode of Manchester answered questions regarding the amendment.

Mr. Stevenson of Bethlehem moved that HB 647 be laid on the table.

The motion was not adopted.

The question is on the motion to indefinitely postpone.

The motion was adopted.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard, having considered the same, report the same with the recommendation that the house recede from its position of nonconcurrence

and the senate recede from its position in adopting its amendment and concur with the house in the passage of the bill.

Mr. Merrill of Hampton Falls

Mr. LaFrance of Manchester

Mr. Drew of Farmington

Conferees on the part of the House

Senator Battles

Senator Monahan

Conferees on the part of the Senate

The report was adopted.

### Committee Report

HB 544, relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions, Mrs. Potter for Engrossed Bills. Ought to pass with amendments under Joint Rule 6.

Amend said bill by renumbering the first section numbered 49-A:28 as inserted by section 1 of said bill to read section 49-A:25.

Further amend said bill by striking out section 3 and inserting in place thereof the following:

3 Police Commissions. At any regular municipal election in any of the following cities: Manchester, Nashua, Portsmouth, Laconia, Somersworth or Berlin, if a majority of the governing body of such city so votes, or if ten per cent of the registered voters file a petition so requesting, the following special question shall be presented to the voters at said election:

"Shall the city of \_\_\_\_\_ authorize the mayor and city council (or the mayor and board of aldermen, as the case may be) to appoint a police commission instead of having the governor and governor's council appoint the commission?"

Yes ☐

No ☐

If a majority of those voting on the question vote in the affirmative, the provisions of Laws 1913, chapter 148 relating to such city shall, effective January one next succeeding the date on which said vote was taken, be of no further force and effect with respect to said city except as provided in section 7 of this chap-

ter, and the provisions of sections 4 through 7, inclusive, of this chapter shall thereafter apply in such city.

Further amend said bill by striking out section 8 and inserting in place thereof the following:

8 Police Commissions. Laws 1913, chapter 148, relative to appointment of police commissioners in certain cities by the governor and council, will be of no further force and effect with respect to any city named in section 3 if a referendum in said city is adopted.

Further amend said bill by striking out section 15 and inserting in place thereof the following:

15 Takes Effect. Sections 1-8, inclusive, and sections 12-14, inclusive, of this act, shall take effect sixty days after their passage. Sections 9, 10, and 11 shall take effect only as provided in this section. At any regular municipal election in the city of Claremont or in the city of Dover, if a majority of the governing body of such city so votes, or if ten per cent of the registered voters file a petition so requesting, the following special question shall be presented to the voters at said election:

"Shall the city of \_\_\_\_\_ authorize the mayor and city council to appoint a police commission instead of having the governor and governor's council appoint the commission?"

Yes ☐

No ☐

If, in the case of the city of Claremont, a majority of those voting on the question vote in the affirmative, the provisions of sections 9 and 10 of this act shall take effect on January first next succeeding the date on which said vote was taken. If, in the case of the city of Dover, a majority of those voting on the question vote in the affirmative, the provisions of section 11 of this act shall take effect on January first next succeeding the date on which said vote was taken.

\* \* \*

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

The amendments were adopted.

### Senate Messages

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on En-

grossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 596, adopting the uniform narcotic drug act and relating to the pharmacy commission.

#### **Amendment to HB 596**

Amend paragraph I of section 2 of said bill by striking out the same and inserting in place thereof the following:

I. RSA 318:48, 49, 49-a, 50, 51, 53 and 54 (supp) as amended by 1955, 243:1 and 1957, 10:1, relative to the manufacture and sale of narcotic drugs are hereby repealed.

\* \* \*

On motion of Mr. Dion of Manchester the House concurred in the Engrossed Bills amendment.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

HB 357, establishing a charter for the city of Manchester.

A further Senate message announced that the Senate concurs with House of Representatives in the passage of the following Concurrent Resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

#### **Concurrent Resolution as Amended by Senate relating to Final Adjournment**

*Whereas*, it appears that all necessary legislative work may be accomplished by Monday, July 1, 1963, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Monday, July 1st next, at 3:00 o'clock in the afternoon, and be it further

*Resolved*, That on that date, all reports, bills and joint resolutions, with the exception of those such as have been referred to special committees of the next legislature, be indefinitely postponed.



On motion of Mr. Lamprey of Moultonborough the House concurred in the concurrent resolution.

A further Senate message announced that the Senate has passed the following concurrent resolutions, in the passage of which it asks the concurrence of the House of Representatives:

### **Concurrent Resolution**

That the speaker of the house and the president of the senate be authorized to call together any committee of the house during the interim period between sessions, and to appoint any special committee during said interim to study any matter which the speaker or the president of the senate may deem necessary with the objective to expedite the 1965 session of the legislature; and to authorize the speaker to accept resignations during the interim period from the members of the house and the president of the senate to be empowered to accept resignations from the members of the senate.

At the request of Mr. McMeekin of Haverhill, Mr. Lamprey of Moultonborough explained the concurrent resolution.

(discussion ensued)

The concurrent resolution was adopted.

(Speaker in the Chair)

A further Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 633, relating to the veterans' service exemption and access road.

### **Amendment to HB 633**

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Qualifications. Amend RSA 72:28 (supp) as amended by 1955, 289:1, by striking out the words "five thousand" in the fourteenth line and inserting in place thereof the words, seven thousand five hundred, so that said section as amended shall read as follows:

72:28 Service Exemption.

I. Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars.

II. In towns in which, as determined by the tax commission, taxes are assessed on real estate upon the basis of one hundred per cent of full and true value, the exemption provided in this section shall be granted to an eligible person, as described in paragraph I hereof, provided that the value of the residential real estate of such person in such town as assessed by the selectmen does not, exclusive of bona fide encumbrances of record thereon, exceed the sum of ten thousand dollars. In other towns, such exemption shall be granted to an eligible person provided that the value of his residential real estate in such town as assessed by the selectmen, exclusive of bona fide encumbrances of record thereon, does not exceed an amount which is in the same proportion to ten thousand dollars as the level of the tax assessments upon real estate in said town, as determined by the tax commission, bears to one hundred per cent of the full and true value of the real estate in said town. No exemption shall be granted a resident qualified for exemption, excepting those with a service-connected disability, who is delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof.

III. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902, extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 2, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

## Part II

2 Inclusion. Amend RSA 103:2 by inserting in line 4 after the word "clerk" the words, the persons in the positions provided for by RSA 106-A:3 (supp) as inserted by 1961, 166:3.

## Part III

3 Authorization. The commissioner of public works and highways, subject to the approval of the governor and council, is hereby authorized to lay out and construct an access road to the Willard Basin, so-called, in the towns of Lancaster, Jefferson, and Randolph, the city of Berlin, and in the unorganized place of Kilkenny.

4 Appropriation. The sum of three hundred thousand dollars is hereby appropriated to be expended by the department of public works and highways, subject to the approval of the governor and council, for the layout and construction of said road. In order to provide the funds necessary for the appropriation made in this section, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time, a total of three hundred thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council

but in no case shall they be later than twenty years from the date of issue.

5 Form and Accounts. All such bonds or notes shall be in such form and such denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state and the state treasurer shall keep such account of all such bonds or notes as are kept of other state bonds or notes. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized.

6 Short-term Loans. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on such short-term loans exceed the sum of three hundred thousand dollars.

7 Layout and Classification. Said access road shall be laid out and constructed in the manner provided by law for Class II highways. After completion of construction, said road shall be designated a Class III road and maintained by the Lancaster development corporation.

8 Terms and Conditions. The governor and council are hereby authorized to set the terms and conditions for repayment of any part of the cost of layout and construction of the access road provided in section 1 hereof as said governor and council shall determine to be in the best interest of the state.

9 Takes Effect. This act shall take effect sixty days after its passage.

Further amend the bill by striking out the title and inserting in place thereof the following: relating to the veterans' service exemption and access road.

\* \* \*

The Clerk read the amendments in full.

Mr. Taft of Greenville moved that the amendments be adopted.

(discussion ensued)

Mr. Bednar of Hudson rose on a point of parliamentary procedure.

The Chair stated he would take the sense of this amendment and divide it into three parts if such a motion be adopted.

Mr. Stevenson of Bethlehem moved that the amendment be divided.

The Chair divided the amendment, provisory to the passage of the motion, in three parts as follows:

1. Veterans' exemption
2. Department of Safety
3. Access item

Messrs. Coleigh of Nashua and Gay of Derry spoke against the motion.

### Parliamentary Inquiry

Mr. McMeekin of Haverhill rose on a point of parliamentary inquiry.

Mr. Smith of Plymouth spoke in favor of the motion.

The motion was adopted, and the motion on the amendment was divided.

The question is on the adoption of part No. 1 of the amendment.

Mr. White of Atkinson spoke in favor of part 1.

Miss Faulkner of Keene requested an explanation of that part.

Mr. O'Shan of Laconia explained part 1.

Messrs. Plourde of Pembroke, Uhlenberg of Gilmanton, Vachon of Manchester and Hackler of Swanzey spoke in favor of part 1.

Part 1 of the amendment was adopted.

The question now being on part 2 of the amendment.

Messrs. Capistran of Manchester, Cobleigh of Nashua, Sheridan of Berlin, and Stafford of Laconia spoke against the part.

Part 2 of the amendment was rejected.

The question now being on part 3 of the amendment.

Mr. Sherman of Lancaster spoke in favor of part 3.

Mr. Oliver of Marlborough spoke against part 3.

Mrs. Potter of Northumberland spoke in favor.

Messrs. Pryor of Ashland and Smith of Plymouth spoke in favor.

(Mr. Peterson of Peterborough in the Chair)

Mr. Willey of Campton spoke against.

Mrs. Taylor of Whitefield, Messrs. Goode of Manchester, O'Neil of Chesterfield, Healy of Manchester, Taft of Greenville and McGee of Lincoln spoke in favor.

(Speaker in the Chair)

(discussion ensued)

Mrs. Martin of Littleton and Mrs. Arsenault of Randolph spoke in favor.

Mr. Young of Rye moved the previous question and it was sufficiently seconded.

The motion was adopted.

The question now being on part 3 of the amendment.

Part 3 of the amendment was adopted.

The question now being on the motion of Mr. Taft of Greenville that the House concur in the Senate amendment.

The House concurred including section 1 as divided by the Chair, excluding section 2 as divided by the Chair, and including section 3 as divided by the Chair.

Mr. Totman of Alstead moved that the rules of the House be so far suspended as to allow the introduction of a committee

report not previously advertised in the Journal for two days. The report being on SB 139.

The motion prevailed.

SB 139, prescribing standards in connection with sweepstakes races and authorizing payment of taxes under protest, Mr. Spanos of Newport for Judiciary. Ought to pass.

(Mr. Taft of Greenville in the Chair)

Question being shall the bill be ordered to a third reading.

Mr. Lamprey of Moultonborough spoke in favor of the motion.

Mr. Johnson of Hanover spoke against the motion.

Mr. Peterson of Peterborough spoke in favor of the motion.

(Mr. Peterson of Peterborough in the Chair)

Mr. Taft of Greenville spoke in favor of the motion.

SB 139 was ordered to a third reading.

Mr. Coutermarsh of Lebanon moved that SB 139 be placed on third reading and final passage at the present time by title only.

The motion prevailed.

### **Third Reading**

SB 139, prescribing standards in connection with sweepstakes races and authorizing payment of taxes under protest, was read a third time, passed, and sent to the Secretary of State to be Engrossed.

### **Reconsideration**

Mr. Pickett of Keene having voted with the majority, moved that the House reconsider its vote whereby it passed SB 139 and spoke against the motion.

The motion was not adopted.

**Senate Messages**

The Senate message announced that the Senate has voted to discharge its Committee of Conference to whom was referred the following entitled bill:

HB 581, relating to workmen's compensation.

The Senate has voted to accede to the request of the House of Representatives for a new Committee of Conference on the following entitled bill:

HB 581, relating to workmen's compensation and the President has appointed as members of said Committee on the part of the Senate: Senator Martel and Senator Hartman.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 653, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 439, continuing the appropriation for expansion of the state parks.

**Amendment to HB 439**

Amend section 3 of said bill by striking out the first three lines and inserting in place thereof the following:

3 Projects. Amend RSA 216-A:5 as inserted by 1961, 263:13, by striking out the same and inserting in place thereof the following: 216-A:5 Recommendation of Projects. At such time

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Engrossed Bills amendment.

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the follow-



ing entitled bill, in new title and new draft, in the passage of which new title and new draft the Senate asks the concurrence of the House of Representatives:

### **HB 389, in New Title and New Draft**

#### **AN ACT**

establishing a state-wide library development program.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Libraries. Amend RSA by inserting after chapter 201-A (supp) the following new chapter:

#### **Chapter 201-B**

##### **Library Development Program**

201-B:1 Declaration of Purpose. In order to provide more effective and economical library service for all the people of New Hampshire, it is hereby declared to be in the public interest to provide both the incentive and the means by which local libraries can become part of a state-wide system of cooperative library service without impairing the principles of self help and local control.

201-B:2 Library Districts. The state shall be divided into four library districts and such additional districts as the state library commission may determine are required. Each library district shall be composed of service center libraries and affiliated libraries. The state library commission shall establish the geographical boundaries of each library district.

201-B:3 Advisory Council. Each library district shall have an advisory council consisting of one representative from each library in the district which has voted to participate in the system.

201-B:4 — Election. The board of trustees of any participating library shall elect the representative to serve on the advisory council. Said representative may be a librarian, a member of the board of library trustees or any other person and shall be chosen for a term of three years.

201-B:5 — Duties. The advisory council shall

I. Serve as the policy making body for the district within the limits of its authority;

II. Develop a program of services;

III. Provide liaison among member towns, other districts and the state, and

IV. Make recommendations to the state library commission relative to (a) qualifications for state aid to local libraries (b) new services to be made available in the district and (c) the location of libraries as service centers.

201-B:6 Affiliated Libraries. Any library in the state may become an affiliated library upon request to the state library commission. An affiliated library shall be a member of the district library system and shall provide resources and services to meet the most frequent needs of its community.

201-B:7 State Aid. Any affiliated library participating in the district system and demonstrating to the satisfaction of the state library commission ability to give adequate local library service shall be eligible to receive state aid in the amount of one hundred dollars annually as an outright grant to be used for improving the libraries' reference collection; plus additional state aid annually in the form of dollar-for-dollar matching grants, to be used for the purchase of books and related materials.

201-B:8 Service Centers. An affiliated library may be designated a service center for the purpose of providing improved book collections and other library services for neighboring communities. These centers shall be located in all sections of the state. Any affiliated library may apply, through its board of trustees, to the state library commission for authority to become a service center library. Upon receipt of such application the state library commission shall forward the application to the appropriate library district for recommendation from its advisory council as to whether approval should be granted as to the location of the service center.

201-B:9 Approval by the State Library Commission. No service center library shall be established unless the district advisory council has so recommended and it has met the requirements which the state library commission shall prescribe for a service center library.

Amend section 201-B:10 of Chapter 201-B, as inserted by section 1 of the bill, by adding at the end thereof the words, To qualify for this assistance (up to five hundred dollars annually) the Affiliated Library will be expected to participate in the Development Program, to issue and honor borrowers' cards valid statewide, to maintain its book budget at or above the level existing when it joined the Plan, and to demonstrate its ability to provide adequate library service, so that said section as amended shall read as follows:

201-B:10 State Aid to Service Center Libraries. Any service center library shall be eligible to receive state aid in the form of grants, varying in amount with the population to be served. The town or city in which the service center library is located must agree to match the grant, dollar-for-dollar, for book expenditures. Grants to service center libraries shall be used for the purpose of strengthening book resources, or for services essential to the operation of the service center library. The state library commission shall be the judge of the services essential to the operation of the service center library. To qualify for this assistance (up to five hundred dollars annually) the Affiliated Library will be expected to participate in the Development Program, to issue and honor borrowers' cards valid statewide, to maintain its book budget at or above the level existing when it joined the Plan, and to demonstrate its ability to provide adequate library service.

201-B:11 General Provisions. In cities and towns where there are two or more libraries with separate boards of library trustees only one grant shall be made for the libraries, on the basis of population to be served. The state library commission may make an additional grant to the libraries of such cities and towns with separate library boards where the services and resources are coordinated in a cooperative system approved by the commission.

201-B:12 Contracts Between Towns. Any town in the state which does not have a public library may contract with any neighboring town or city for library service to be furnished to inhabitants of said first town. In case a town by majority vote votes to so enter into contract for library services said town shall raise and appropriate sufficient money to carry out the provisions of such contract. The town or city providing library service shall be eligible for the state aid of the contracting town.

The inhabitants of said first town shall be eligible for all privileges of the district library system.

201-B:13 **Optional Provisions.** Any school or college or private library in the state may cooperate for mutual progress and better service to the public by participating in the district library system and towns and cities are authorized to raise and appropriate such sums of money as may be deemed necessary to provide such service. A school or college or private library may be designated a service center library and shall be eligible for a service center library grant when in the opinion of the state library commission it will improve the state-wide library system.

201-B:14 **Borrower's Card.** All participating libraries shall agree to loan circulating books and related materials to any person holding a borrower's card issued by any one of the participating libraries. Said libraries shall also agree to the system of book returns which is adopted by the majority of the participating libraries.

201-B:15 **Centralized Services.** The state library commission shall within the limits of its appropriation provide centralized purchasing and cataloging for the benefit of all libraries in the state-wide library system and such other services which in the opinion of the state library commission can be performed more economically by the state than by the district or affiliated libraries.

201-B:16 **Staff.** The state library commission, within the limits of the appropriation provided therefor, shall employ the necessary personnel for each district, but shall have no control over selection of personnel for service centers and affiliated libraries.

201-B:17 **Duties of Staff.** The staff of each library district shall assist the advisory council of the district and libraries within the district cooperating in the system, to improve local service when requested by the local library, encourage cooperation among local libraries and provide professional leadership for the district.

201-B:18 **Rules and Regulations.** The state library commission is authorized to make rules and regulations to carry out the general purposes of the act, and for the amount of grants

and minimum qualifications for such aid to affiliated libraries and service center libraries, and for the establishment of service center libraries.

201-B:19 Acceptance of Federal Funds. The state library commission is hereby authorized and empowered to receive, accept and administer any money granted by the federal government or other agencies, private or otherwise, for the purpose of library development program. Any such federal funds or other source as hereinbefore provided shall be deposited in the state treasury and credited to the public library development fund established by RSA 201-B:20. Any moneys so deposited shall be paid out by the treasurer on a warrant of the governor for the purpose of RSA 201-B.

201-B:20 Public Library Development Fund. There is hereby established in the state treasury a separate fund to be known as the public library development fund. There shall be credited to said fund any grants from the federal government or other agencies, private or otherwise, and also any funds appropriated by the general court for the purposes of this chapter. Said fund shall be distributed as hereinbefore provided in the form of grants to service centers and affiliated libraries.

201-B:21 Library Construction Fund. The state library commission is authorized to accept funds from the federal government which may be made available as grants for construction of public libraries. Such funds shall be kept in the state treasury as a separate fund and shall be distributed by the state library commission to such towns as meet the federal requirements for such grants. The state library commission is authorized to adopt such rules and regulations relative hereto as may be necessary for the acceptance and distribution of such grants.

2 Administration. In order to administer the provisions of RSA 201-B and to perform such other related duties as are required, the state library commission is hereby authorized to employ the following additional permanent assistants; a director of extension and library development and a clerk II; for each library district, a district consultant and a clerk-stenographer II; for the state library for purchasing and cataloging books for the development program an assistant catalog librarian, a machine operator and a clerk typist I.

On motion of Mr. McMeekin of Haverhill reading of the amendment was dispensed with.

Mr. McMeekin of Haverhill explained the amendment.

On motion of Mr. McMeekin of Haverhill the House concurred in the Senate amendment.

(Speaker in the Chair)

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and Senate Joint Resolution:

HB 207, An act providing immunity from liability in emergency cases.

HB 399, An act relative to salary of the justices of Rochester municipal court.

HB 565, An act to revise the law relating to cooperative school districts.

SB 92, An act relative to chiropodists.

SB 94, An act providing for an additional justice for the superior court.

SB 106, An act relative to continuous financial responsibility certificates.

SB 140, An act relative to increasing the trustees of Pinkerton Academy.

SJR 12, Joint resolution making deficiency appropriation for the interim commission on education.

Mrs. Potter of Northumberland  
Mrs. Marx of Langron

### **Personal Privilege**

Miss Faulkner of Keene rose on a point of personal privilege.

Mr. Stafford of Laconia rose on a point of personal privilege and read the following poem which he requested to be printed in the Journal:

## Like People

To the Editor of The Herald:

The recent correspondence on "liking people" reminded me of an old rhyme of mine published by George Ryan (bless his memory), in "Top o' the Morning" around September 30, 1946.

Today I feel the same, and more so—

It's easier to love than like, they say,  
I leave it to you, either way;  
I like people! !  
I like people, large or small,  
I like people, short or tall,  
I like them young, I like them old,  
I like them warm, I like them cold:  
Like them beautiful, like them plain,

Like people frivolous, or even vain:  
I like them moody, like them happy,  
Like them even sometimes scrappy,  
Like them lowly, like them lofty,  
Guess I'm just a plain old softy,  
I like people of either sex  
Makes life so happily complex:  
What a lonesome place earth'd be  
If it weren't for this humanity!  
I like people!  
I like crowds, and again, just a few,  
I like you, and You, and Y O U!!!

Harriet A. Steensen

Dorchester

Mr. Pickett of Keene rose on a point of Personal Privilege.

\* \* \*

The Chair announced that today is the birthday of Mrs. Davis of Conway.

\* \* \*

On motion of Mrs. Tarrant of Pittsfield the House adjourned from the morning session.

**Afternoon Session**

On motion of Mrs. Marx of Langdon the House adjourned to meet next Monday morning at 11:00 A.M.

\* \* \*

The House adjourned at 6:26 P.M.

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MONDAY, JULY 1, 1963

The House met at 11:00 A.M.

**Joint Convention**

Prayer was offered by the Chaplain as follows:

“Where the Spirit of the LORD is, there is freedom.”

(II Corinthians 3:17)

O THOU who art the inspiration of all our precious freedoms — so teach us to know the meaning of freedom through the understanding of its use in our daily witness. Endow us with the Spirit of Truth to light our way through the darkness of bondage. Grant us the Spirit of Discipline in our acceptance of social and spiritual responsibilities. May the Spirit of Trust give us the strength of brotherhood as we labor together to preserve our precious heritage of freedom for generations to come. Bestow Thy continual blessing upon our dynamic Legislative Leadership and the Members of this Joint Convention for their every effort to know Thy Will in their faithful service. Continually guide our Executive and Judiciary Leadership in wisdom and truth as they fulfill their numerous and varied responsibilities in Thy Name. Amen.

**Pledge of Allegiance to the Flag.**

Mr. Larty of Haverhill led the Convention in the Pledge of Allegiance to the Flag.



**House****Leave of Absence**

Mr. LaFlamme of Concord was granted leave of absence for the day on account of illness.

**Resolutions**

Mr. Rufo of Concord offered the following resolutions for the Merrimack County Delegation:

*Whereas*, Richard D. Hanson, Representative from Bow, is seriously ill in Concord Hospital, therefore be it

*Resolved*, That, we the members of the House of Representatives of the General Court of New Hampshire, hereby extend our sympathy to our Fellow Member in his illness and our very best wishes for a speedy recovery to health, and be it further

*Resolved*, That a copy of these Resolutions be sent to Representative Hanson.

The resolutions were unanimously adopted.

\* \* \*

The Chair thanked Mrs. Frizzell of Charlestown on behalf of the House for the beautiful floral piece she arranged for the rostrum today.

**Engrossed Bills Report**

SB 139, prescribing standards in connection with sweepstakes races and authorizing payment of taxes under protest, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment under Joint Rule No. 6.

**Amendment to SB 139**

Amend section 4 of said bill striking out the second line and inserting in place thereof the following:

by inserting after RSA 284:21-1, the following

\* \* \*

The Clerk read the amendment.

On motion of Mr. Totman of Alstead the House concurred in the Engrossed Bills amendment.

SB 69, relative to the timber yield tax, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment under Joint Rule No. 6.

### **Amendment to SB 69**

Amend section 11 of said bill by striking out the second line and inserting in place thereof the following:

amended by 1955, 387 by striking out

Amend section 2 of said bill by striking out the figure "79:4" in the first line and inserting in place thereof the figure, 79:3

Further amend section 2 of said bill by striking out the second line and inserting in place thereof the following:

amended by 1955, 287 and 1959, 227 by

Amend section 4 of said bill by striking out the second line and inserting in place thereof the following:

as amended by 1955, 287, by

Further amend section 4 by inserting after the figure "11" in the tenth line the word, hereof.

Amend section 5 of said bill by striking out the second line and inserting in place thereof the following:

RSA 79:10 (supp), as amended by

Amend section 6 of said bill by striking out the second line and inserting in place thereof the following:

(supp), as amended by 1955, 287

Amend section 8 of said bill by striking out the second line and inserting in place thereof the following:

amended by 1955,

\* \* \*

The Clerk read the amendment.

On motion of Mr. Larty of Haverhill the House concurred in the Engrossed Bills amendment.

### Senate Messages

The Senate message announced that the Senate has voted to adopt the recommendation of the Committees of Conference to whom were referred the following entitled bills:

HB 366, relative to a municipal court system.

HB 539, relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard.

HB 400, to provide group life insurance, and group hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses.

HB 542, relative to settlements in behalf of minors.

HB 475, relating to trustee process on banks and similar corporations.

SB 116, relative to fees for insurance companies and brokers.

HB 532, relative to classification of temporary and seasonal state employees.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a new Committee of Conference on the following entitled bill:

HB 581, relating to workmen's compensation and the President has appointed as members of said new Committee on the part of the Senate: Senator Martel and, Senator Hartman.

A further Senate message announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

HB 392, relative to the sale of insurance in connection with real estate transactions.

A further Senate message announced that the Senate has voted to refer to the Legislative Council the following entitled bill sent up from the House of Representatives:

HB 376, establishing the elevator inspection law.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

HB 589, relative to group insurance.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 544, relative to home rule by authorizing adoption of city charters, eliminating certain commissions and providing for governmental units to contract for the performance of various municipal functions.

#### **Amendment to HB 544**

Amend said bill by renumbering the first section numbered 49-A:28 as inserted by section 1 of said bill to read section 49-A:25

Further amend said bill by striking out section 3 and inserting in place thereof the following:

**3 Police Commissions.** At any regular municipal election in any of the following cities: Manchester, Nashua, Portsmouth, Laconia, Somersworth or Berlin, if a majority of the governing body of such city so votes, or if ten per cent of the registered voters file a petition so requesting, the following special question shall be presented to the voters at said election:

“ Shall the city of . . . . . authorize the mayor and city council (or the mayor and board of aldermen, as the case may be) to appoint a police commission instead of having the governor and governor’s council appoint the commission?”

Yes ☐

No ☐

If a majority of those voting on the question vote in the affirmative, the provisions of Laws 1913, chapter 148 relating to such city shall, effective January one next succeeding the date on which said vote was taken, be of no further force and effect with respect to said city except as provided in section 7 of this

chapter, and the provisions of sections 4 through 7, inclusive, of this chapter shall thereafter apply in such city.

Further amend said bill by striking out section 8 and inserting in place thereof the following:

8 Police Commissions. Laws 1913, chapter 148, relative to appointment of police commissions in certain cities by the governor and council, will be of no further force and effect with respect to any city named in section 3 if a referendum in said city is adopted.

Further amend said bill by striking section 15 and inserting in place thereof the following:

15 Takes Effect. Sections 1-8, inclusive, and sections 12-14, inclusive, of this act, shall take effect sixty days after their passage. Sections 9, 10, and 11 shall take effect only as provided in this section. At any regular municipal election in the city of Claremont or in the city of Dover, if a majority of the governing body of such city so votes, or if ten per cent of the registered voters file a petition so requesting, the following special question shall be presented to the voters at said election:

“Shall the city of . . . . . authorize the mayor and city council to appoint a police commission instead of having the governor and governor’s council appoint the commission?”

Yes ☐

No ☐

If, in the case of the city of Claremont, a majority of those voting on the question vote in the affirmative, the provisions of sections 9 and 10 of this act shall take effect on January first next succeeding the date on which said vote was taken. If, in the case of the city of Dover, a majority of those voting on the question vote in the affirmative, the provisions of section 11 of this act shall take effect on January first next succeeding the date on which said vote was taken.

#### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills and House and Senate Joint Resolution:

HB 64, An act relative to funds for the state nursing scholarship program.

HB 112, An act relative to on-sale permits for sale of beverages.

HB 180, An act relative to the incorporation of trust companies.

HB 219, An act relative to motor carriers of property.

HB 500, An act relative to real estate brokers.

HB 552, An act relative to bridges on Class II highways.

HB 612, An act relative to re-examination of motor vehicle operators over seventy years of age.

HB 630, An act providing for collection of taxes on property being re-assessed.

SB 98, An act regulating the issuance of motor vehicle dealer plates.

SB 125, An act relative to laying out highways.

SJR 13, Joint Resolution in favor of Edna M. Paine.

SB 77, An act to clarify the status of passenger tramway devices.

SB 101, An act relating to interest from date of writ in certain cases.

SB 107, An act relating to the unlawful practice of professional engineering.

SB 113, An act relative to employing of minors.

SB 110, An act authorizing insurance companies to join together to offer to senior citizens of New Hampshire health insurance against major financial loss.

HB 357, An act establishing a charter for the city of Manchester.

HB 544, An act relative to home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions.

HB 402, An act relating to posting lands against trespass.

HB 510, An act relative to study for improved pesticides control.

SB 102, An act to regulate the carriage of household goods for hire by motor vehicle.

HB 596, An act adopting the uniform narcotic drug act and relating to the pharmacy commission.

HB 563, An act for the establishment of authorized regional enrollment (AREA) schools and creating the New Hampshire school building authority.

HB 625, An act providing for the incorporation of a public authority for the purpose of the operation of transit companies operating within municipalities.

HB 434, An act relating to minimum wages of employees in public works.

HB 439, An act continuing the appropriation for expansion of the state park system.

HB 616, An act relative to the definition of an elementary school and school district liability.

HB 621, An act relative to the production, distribution and sale of milk and other dairy products.

HB 641, An act relative to business corporation law.

HB 430, An act providing for control of aquatic nuisances in any of the surface waters of the state.

HB 487, An act relative to purchases of liquor by state liquor commission.

HB 567, An act relative to notices of and time for holding town caucuses.

HB 106, An act relative to the relocation of a portion of the central New Hampshire turnpike.

HB 340, An act relative to mileage rate for all state employees using privately owned passenger vehicles.

HB 576, An act relative to appointment of assistant election officials in towns.

HB 582, An act relative to legislative mileage allowances.

HB 601, An act relating to the counting of votes at biennial elections.

HB 638, An act relative to relocation of road in Rye.

SB 115, An act relative to early land acquisition by Nashua Housing Authority.

SB 118, An act relative to the improvement of Hampton Harbor entrance and the restoration of sand lost by erosion on state-owned land at Hampton Beach.

HJR 40, Joint Resolution in favor of Earl Hill of Pittsfield.

HB 38, An act providing for a director of legislative services.

HB 85, An act providing one open season for taking deer.

HB 566, An act relative to beagle field trials.

SB 17, An act to make appropriation for a state-owned aircraft.

SB 46, An act relative to motor vehicle road tolls.

HJR 6, Joint Resolution relative to the operating expenses of educational television station, WENH-TV, Channel 11, Durham.

SJR 11, Joint Resolution In favor of the New Hampshire Savings Bank and the SPD Realty Corporation.

Mrs. Potter of Northumberland, Chairman  
for the committee

### Journal Correction

On p. 46 of the Journal for Sat., June 29, the Senate amendment on HB 389, in new title and new draft, the new title being "establishing a state-wide library development system", was omitted. The Chair asked unanimous consent that this error be corrected in the Permanent Journal. Such consent was granted.



**Communication**

June 30th, 1963

Hon. Stewart Lamprey — House Speaker  
138th New Hampshire General Court  
State House  
Concord, New Hampshire  
Speaker Lamprey,

Please convey, through your office, to the members of the 138th New Hampshire General Court my profound gratitude for the privilege of serving as the House Chaplain for the 1963-4 Session. The friendships and numerous courtesies accorded to me by you and the Members of the House, by the Honorable Senate and the Executive Department, have been deeply appreciated. The many valuable insights, lessons, and truths learned in this area of human experience shall be treasured in my joyful memories throughout the years to come.

Once again, my sincere thanks for this wonderful opportunity of service and the many thoughtful expressions of confidence and encouragement.

Sincerely,

Rev. William L. Shafer

**Speaker's Remarks**

Mr. Lamprey addressed the House briefly, noting that today's session terminated his third and final term as Speaker of the House. He expressed his gratitude to the membership for this unprecedented honor, and his appreciation of the opportunity to serve the state in this office for the past three sessions.

**Committee Reports**

On motion of Mr. Shepard of Londonderry the rules of the House were suspended as to permit introduction of a report of committee not advertized in the Journal.

HJR 33, providing funds for increase in daily rate paid to nursing homes for care of welfare recipients, Mr. Shepard of Londonderry for Appropriations. Refer to Legislative Council.

The resolution was adopted.

On motion of Mr. Belcourt of Nashua the rules of the House were so far suspended as to permit the introduction of

a committee report not previously advertised in the Journal.

HB 76, to limit the period for which past due support of institutional inmates may be recovered and the rate for support of inmates at Laconia State School, Mr. Belcourt of Nashua for Appropriations. Refer to the Legislative Council.

The resolution was adopted.

(Mr. Goode of Manchester in the Chair)

### **Senate Message**

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 471, adopting certain provisions of the uniform vehicle code.

### **Amendment to HB 471**

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4 Constitutionality. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application and to this end the provisions of this chapter are declared to be severable.

Amend paragraph IX of section 2 of said bill by inserting after the figure "263:31" the figure, 32.

\* \* \*

On motion of Mr. Clafin of Wolfeboro the House concurred in the Engrossed Bills amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives.

### **Amendment to HB 363**

HB 363, providing for the acquisition of certain water rights and dams controlling the Contoocook River.

**Amendment to HB 363**

Amend said bill by striking out the first two lines of section 1 and inserting in place thereof the following:

1 New Chapter. Amend RSA by inserting after chapter 481-A (supp) as inserted by 1963, 196:1 the following new chapter:

**Chapter 481-B**

Further amend said bill by renumbering the paragraphs numbered 481-A:1, 2 and 3 to read 481-B:1, 2 and 3.

Amend section 2 of said bill by striking out the figure 481-A and inserting in place thereof the figure 481-B.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Engrossed Bills amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

SB 61, relative to credit unions.

**Amendment to SB 61**

Amend section 3 of said bill by striking out the figure "294:12" and inserting in place thereof the figure, 394:12.

Amend section 4 of said bill by striking out the words and figures "as amended by 1961, 156" in the first line.

Amend section 9 of said bill by striking out the figure "395:30" in the second line and inserting in place thereof the figure, 394:30.

\* \* \*

On motion of Mr. Bigelow of Warner the House concurred in the Engrossed Bills amendment.

The Senate message announced that the Senate has voted to adopt the amendments offered by the committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives.

HB 607, relating to business administrators for school districts.

**Amendment to HB 607**

Amend said bill by striking out the title and inserting in place thereof the following:

An Act relating to business administrators for school districts.

\* \* \*

On motion of Mrs. Greene of Rye the House concurred in the Engrossed Bills amendment.

The Senate message announced that the Senate has voted to adopt the amendments offered by the committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 134, relative to retirement benefits for officials and employees of the regional associations and New Hampshire Municipal Association.

**Amendment to SB 134**

Amend said bill by striking out the title and inserting in place thereof the following:

An Act relative to retirement benefits for officials and employees of the regional association and New Hampshire Municipal Association.

\* \* \*

On motion of Mr. McMeekin of Haverhill the House concurred in the Engrossed Bills amendment.

The Senate message announced that the Senate has voted to adopt the amendments offered by the committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives.

SB 82, establishing a council of resources and development.

**Amendment to SB 82**

Amend section 5 of said bill by striking out the first three lines and inserting in place thereof the following:

5 Consultation With Historical Commission Discretionary. Amend section 4 of RSA 216-A (supp) as inserted by 1961 263:4 by striking out the same and inserting in place thereof the following: 216-A:4 State Historical Commission; Recommendations.

\* \* \*

On motion of Mr. Casassa of Hampton the House concurred in the Engrossed Bills amendment.

### Reconsideration

Mr. Peterson of Peterborough moved that the House reconsider its vote whereby it concurred in the Senate amendment on HB 592, imposing taxes on the net income of all businesses, services and business operations conducted within the state, and providing for the abolition of certain taxes, and spoke in favor of the motion.

(discussion ensued)

(Speaker in the Chair)

The motion was adopted.

Mr. Peterson moved that a committee of conference by appointment on HB 592. The motion was adopted.

The Chair appointed Mr. Peterson of Peterborough, Mr. Taft of Greenville and Mr. Sheridan of Berlin as conferees on the part of the House.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 581, relating to workmen's compensation, having considered the same, report the same with the recommendation that the house recede from its position in adopting its amendment, that the senate recede from its position in adopting its amendment, and that the house and senate concur in adopting the following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Pulmonary Dust Diseases. Amend paragraph III of RSA 281:2 (supp) as amended by 1957, 187:2, 1959, 187:3, and 1961, 194:2, by adding at the end thereof the following sentence, in connection with the maximum amounts payable for silicosis and other pulmonary dust diseases, compensation shall be pay-

able from the date of total disability and not from the date of injury as herein defined in such cases, so that said paragraph as amended shall read as follows:

III. Personal injury, or injury as used in and covered by this chapter shall mean accidental injury or death arising out of and in the course of the employment and the following diseases or death therefrom arising out of and in the course of employment: Anthrax, lead poisoning or its sequelae, dermatitis venenata, diseases due to the inhalation of poisonous gases or fumes or their sequelae, disability due to radioactive properties or substances or exposure to ionizing radiation, and silicosis and other pulmonary dust diseases subject to the provisions hereinafter set forth. For the purpose of determining the date of injury for an occupational disease the first date of treatment by a licensed physician shall be taken as the date of injury, except as hereinafter specifically provided. It shall not include other diseases or death therefrom unless they are the direct result of an accidental injury arising out of and in the course of employment, nor shall it include a disease which existed at commencement of the employment, nor a disease the last injurious exposure to the hazards of which occurred prior to the effective date of this chapter. When silicosis and other pulmonary dust diseases or death therefrom occur within the above definition of "personal injury" or "injury", compensation shall be payable under the provisions of this chapter, provided, however, that (1) no compensation shall be payable for partial disability; (2) in the event of temporary or permanent total disability or death, notwithstanding any other provisions of this chapter, total compensation if disability or death occurred during July, 1947, shall not exceed the sum of five hundred dollars; thereafter the limit for total disability or death shall increase at the rate of fifty dollars each calendar month until the maximum allowed for other injuries under this chapter is reached; (3) the total amount of benefit in case of death shall not exceed the balance remaining between the amounts paid for disability and the total compensation payable under this chapter. In connection with the maximum amounts payable for silicosis and other pulmonary dust diseases, compensation shall be payable from the date of total disability and not from the date of injury as herein defined in such cases.

2 Other Employers. Amend RSA 281:3 (supp) as amended by 1961, 194:3, by striking out said section and inserting in place thereof the following: 281:3 Elections by Employers not

Subject to Law. Any employer not otherwise subject to the provisions of this chapter may accept the provisions of this chapter by filing an election with the labor commissioner. Such employer shall thereafter be liable to all of his employees in the same manner as other employers.

3 Revocation. Amend RSA 281:4 (supp) as amended by 1961, 194:4 by striking out said section and inserting in place thereof the following: 281:4 Revocation of Election. Any employer accepting the provisions of this chapter pursuant to sections 3 and 7 may revoke his or its acceptance of the provisions of this chapter by filing a revocation with the labor commissioner which shall be effective thirty days after such filing and by posting a notice of such revocation in a conspicuous place on his or its premises.

4 Additional Coverage. Amend RSA 281:7 (supp) as amended by 1961, 194:6, by inserting after the word "union" in the second line the words, county extension service council, and by inserting after the word "thereof" in the eighth line the words, for a county extension service council by said council, so that said section as amended shall read as follows: 281:7 Election by Municipalities. Any county, city, town, school district, supervisory union, county extension service council, or any other district established by law, may accept for designated or for all workmen in its employ, the provisions of this chapter, and it shall thereafter be liable to such workmen for any injury arising out of and in the course of employment in the manner provided in this chapter. The liability of any county, city, town, or district accepting said provisions shall not otherwise be enlarged or extended. The acceptance for a county may be made by the commissioners thereof, for a county extension service council by said council, for a city by the city council, for a town by the selectmen thereof, for a school district by the school board thereof, for a supervisory union by the supervisory union board thereof, and for any other district by the commissioners thereof or other officers having by law the management of such district. Such acceptance shall be filed with the labor commissioner.

5 Parties to Waivers. Amend RSA 281:12-a (supp) as inserted by 1957, 187:5, and amended by 1961, 194:7, by striking out the words "having regularly less than three employees" in the thirty-fifth line and inserting in place thereof the words, not subject to the provisions of this chapter, so that said section as amended shall read as follows: 281:12-a Waiver of Com-

pensation. Whenever any person desiring to enter into a contract of employment, shall have any physical defect which imposes upon the prospective employer a further or unusual hazard, it shall be permissible for such person to waive in writing for himself or his dependents, or both, any rights to compensation under the provisions of this chapter for any personal injury arising out of and in the course of his employment, or death resulting therefrom which may be found by the labor commissioner to be attributable in a material degree to such physical defect. No waiver shall become effective unless the defect in question shall be plainly described therein, and accompanied by a statement of the defect from a licensed physician, nor unless the labor commissioner finds that the person who signed such waiver fully understood the meaning thereof and, if such person shall be a minor, that the parents or a guardian of such minor shall have approved the same in writing, nor until application of such waiver shall have been sent to the labor commissioner. Any person already employed who shall suffer a physical defect which would impose upon his employer a similar further or unusual hazard may make application for a waiver as above described. Such waiver shall be effective on a temporary basis for not over sixty days, not including Sundays, from date it is sent to the labor commissioner pending his action thereon. The labor commissioner shall, in writing, approve such waiver and furnish each of the parties thereto with a copy thereof. In event the waiver is refused by the labor commissioner, the temporary waiver shall cease within seven days from the date of such denial. Application for cancellation of such waiver may be made by either party to the labor commissioner who may cancel same upon receipt of a statement by a licensed physician that such physical defect no longer exists, or with the consent of both parties. No such waiver shall be a bar to a claim by the person signing the same, or his dependents, for a compensation for any injury arising out of and in the course of his employment, or death resulting therefrom, which injury shall not be found attributable in a material degree to the particular condition described therein. The rights and liabilities of the parties to such waiver to injuries arising out of and in the course of the employment and within the terms of such waiver shall be such as are provided by the law in the case of an employer not subject to the provisions of this chapter, who shall not have accepted the provisions of this chapter. The term "physical defect" as used in this section



shall not be construed to include an occupational disease, susceptibility thereto or a recurrence thereof.

6 Waiver by Governor and Council. Amend 281:14 (supp) as amended by 1957, 187:6, 1959, 187:5 and 1961, 194:8, by inserting after paragraph IV the following new paragraph: V. Whenever the lien created by the foregoing paragraphs is in the state of New Hampshire by virtue of benefits paid to or on behalf of a state employee, the governor and council, upon petition by the injured employee, may, in its discretion, waive all or part of said lien.

7 Medical and Hospital Benefits. Amend RSA 281:21 (supp) as amended by 1961, 194:9, by striking out said section and inserting in place thereof the following: 281:21 Medical, Hospital Care, etc. During the first six months after an injury to an employee, an employer subject to this chapter, shall furnish to an injured employee, or cause to be furnished, free of charge, reasonable medical and hospital services, or other remedial care when needed, unless the injured employee shall decline or refuse to allow them to be furnished, and the injured employee, if he so chooses shall have the right of selection of a duly qualified physician or other remedial care upon due notice to the employer. Such six-month period may be extended from time to time at the discretion of the labor commissioner upon written request of the injured employee to the labor commissioner and after the employer has been given an opportunity to file objections thereto and to be heard thereon. In the event of the loss of an eye, limb, or other member, or the loss of hearing by reason of said injury, an employer, in addition to the foregoing care, shall upon request, furnish, free of charge, an appropriate artificial appliance to replace such loss. Such aid shall not be considered under the provisions of section 22 to 26. Whenever an injured employee shall receive medical or hospital benefits, or other remedial care, after expiration of the first six months after an injury, or subsequent to expiration of extension thereof by the labor commissioner, and, due to accident, misfortune, or mistake, fails to file a request for an extension prior to receiving such medical or hospital, or other remedial care, the labor commissioner, following notice to the employer giving opportunity to be heard, may grant an extension retroactively.

8 Determination of Value. Amend RSA 281 by inserting after section 21 (supp) as amended by 1961, 194:9, the following new section: 281:21-a Reasonable Value of Services. When-

ever medical and hospital services, or other remedial care, are rendered to an injured employee under the provisions of this chapter, and a dispute arises between the employer and the person, firm or corporation rendering such services or care as to the reasonable value thereof, the labor commissioner shall consult with not less than three members of the same profession as the creditor concerned in the subject dispute and thereafter determine the reasonable value for such services or care. Each of the following organizations shall be entitled to submit to the labor commissioner the names of ten members of their organization who shall comprise a panel from which the commissioner shall choose individuals with whom to consult: (a) New Hampshire Medical Society, (b) New Hampshire Osteopathic Society, (c) New Hampshire Dental Society. Nothing herein contained shall be construed as a bar to the commissioner, for purposes of complying with this section, consulting with any other professional individuals, provided that said individuals shall be engaged in the private practice of their profession and not in the employ of the employer of the patient or any party or agent acting on behalf of the employer, and no individual who is not engaged full time in the private practice of his profession shall be eligible for membership on any of the panels aforesaid. The labor commissioner shall have exclusive jurisdiction in resolving the dispute and he shall make his findings as to the reasonable value of such services and/or care rendered and such findings shall be binding upon the interested parties.

9 Death Benefits. Amend RSA 281:22 (supp) as amended by 1955, 98:3 and 4, 1957, 187:10 and 13, 1959, 187:12, and 1961, 194:10, by striking out said section and inserting in place thereof the following: 281:22 Compensation for Death: If death results from the injury, the employer shall, subject to the limitations hereinafter provided, pay to, or for the dependents of the deceased employee, as defined in section 2, weekly compensation equal to sixty-six and two-thirds per cent of the deceased employee's average weekly wages, but not less than twenty nor more than forty-five dollars per week unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week, in which case the compensation shall be the full amount of said average weekly wages; provided that the total amount payable on account of a single death shall not exceed the sum of fifteen thousand dollars. Such benefits shall be payable for a maximum of three hundred and forty-one weeks except where the maximum of fifteen thousand

dollars is reached prior to the expiration of said maximum period. Any weekly payments made under sections 23, 25 or 26 shall be deducted from said maximum of fifteen thousand dollars.

I. In all cases where compensation is payable to a widow or widower for the benefit of herself or himself and dependent child or children, the labor commissioner shall have power to determine in his discretion what portion of the compensation shall be applied for the benefit of any such child or children and may order the same paid to a guardian.

II. In the case of remarriage of a widow without dependent children compensation payments shall cease.

III. In case of remarriage of a widow who has dependent children the unpaid balance of compensation which would otherwise become her due shall be payable to the mother, guardian, or such other person as the labor commissioner may order, for the use and benefit of such children during dependency.

IV. If the deceased employee leaves no dependents, the employer shall pay the expenses of burial not exceeding eight hundred dollars.

V. Any dependent as defined herein, who at the time of the injury of the injured is in part only dependent upon his earnings, shall receive such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total support of the dependents.

VI. Compensation for a dependent child shall cease when a child becomes twenty-one years of age, unless the child is physically or mentally incapacitated, or earlier if the child is determined by the labor commissioner to be self-supporting, or upon the marriage or legal adoption of such child.

10 Total Disability Benefits. Amend RSA 281:23 (supp) as amended by 1955, 98:5, 1957, 187:11, 1959, 187:13, and 1961, 194:11, by striking out said section and inserting in place thereof the following: 281:23 Compensation for Total Disability. Where the injury causes total disability for work at any gainful occupation the employer, during such total disability, but not including the first seven days thereof, unless such disability continues for seven days or longer, shall pay the injured employee a weekly compensation equal to sixty-six and two-

thirds per cent of the employee's average weekly wages, but not less than fifteen dollars nor more than forty-five dollars per week, unless the injured employee's average weekly wage as defined herein are less than fifteen dollars per week, in which case the compensation shall be the full amount of said average weekly wages. Whenever total disability has continued for a period of six successive years and still continues, further payments of compensation during continued total disability shall be made only upon order of the labor commissioner. The injured employee shall apply to the labor commissioner for further weekly benefits during such continued total disability. The employer shall be given prompt notice of such request, and shall be entitled to a hearing if he so requests within ten days following receipt of such notice. Unless the employer agrees to such request within ten days after receipt of said notice, no such request shall be granted until the injured employee shall have been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the labor commissioner under this chapter. If additional benefits are awarded, they shall not be awarded for a period in excess of one year, and payments shall cease if total disability ends during the extension granted. If, at the end of one year, any such benefits are still being received pursuant to an extension granted hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

11 Repeal. RSA 281:24 (supp) as amended by 1955, 98:6, 1957, 187:2 and 1961, 194:12, relative to compensation for permanent total disability, is hereby repealed.

12 Permanent Partial Disability Benefits. Amend RSA 281:26 (supp) as amended by 1955, 98:8, by striking out said section and inserting in place thereof the following: 281:26 Permanent Partial Disability. In case of disability partial in character but permanent in quality, compensation shall be computed and payable as follows: (1) During the actual healing periods hereinafter mentioned, compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than forty-five dollars per week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week

(in which case the compensation shall be the full amount of said average weekly wages) shall be payable; (2) for the specific injuries hereinafter mentioned, compensation equal to sixty-six and two-thirds per cent of the employee's average weekly wages, but not less than twenty dollars nor more than forty-three dollars and fifty cents per week, unless the injured employee's average weekly wages as defined herein are less than twenty dollars per week (in which case the compensation shall be the full amount of said average weekly wages) shall be payable.

I. Total and permanent loss of sight in both eyes, compensation for three hundred and forty-one weeks, plus actual healing period, if any.

II. Loss of both feet at or above the ankles, compensation for three hundred and forty-one weeks, plus actual healing period.

III. Loss of both hands at or above both wrists, compensation for three hundred and forty-one weeks, plus actual healing period.

IV. Loss of one hand at or above the wrist and one foot at or above the ankle, compensation for three hundred and forty-one weeks, plus actual healing period.

V. Arm lost, compensation for two hundred fourteen weeks, plus actual healing period.

VI. Hand lost, compensation for one hundred seventy-five weeks, plus actual healing period.

VII. Thumb lost, compensation for fifty weeks, plus actual healing period.

VIII. Index finger lost, compensation for thirty-one weeks, plus actual healing period.

IX. Middle finger lost, compensation for twenty-six weeks, plus actual healing period.

X. Ring finger lost, compensation for nineteen weeks, plus actual healing period.

XI. Little finger lost, compensation for thirteen weeks, plus actual healing period.

XII. Leg lost, compensation for two hundred fourteen weeks, plus actual healing period.

XIII. Foot lost, compensation for one hundred fifty-one weeks, plus actual healing period.

XIV. Great toe lost, compensation for twenty-six weeks, plus actual healing period.

XV. Toe other than great toe lost, compensation for ten weeks, plus actual healing period.

XVI. Eye lost, compensation for one hundred twenty-six weeks, plus actual healing period.

XVII. Loss of hearing in one ear, compensation for fifty-two weeks.

XVIII. Loss of hearing in both ears, compensation for two hundred fourteen weeks.

XIX. Compensation for the loss of more than one phalange of a digit shall be the same as for the loss of an entire digit. Compensation for the loss of the first phalange shall be one-half of the compensation for the loss of the entire digit.

XX. Compensation for an arm or leg if amputated at or above the elbow or at or above the knee, shall be the same as for the loss of the arm or leg, but if amputated between the elbow and the wrist, or the knee and the ankle, shall be the same as for the loss of the hand or foot.

XXI. Compensation for loss of eighty per cent or more of the vision of an eye shall be the same as for the loss of an eye.

XXII. Compensation for loss of two or more digits or one or more phalanges of two or more digits of a hand or foot, may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for loss of hand or foot.

XXIII. Compensation for permanent total loss of use of a member shall be the same as for the loss of the member; provided, however, that if amputation or surgery subsequently becomes necessary with respect to such member either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional actual healing period, but said employee shall not be entitled to additional compensation for loss of said member.

XXIV. In the case of permanent partial loss of use of any member specified in the preceding paragraphs due to actual injury to such member, either at the time of the accident or in the course of treatment, compensation shall be determined on a pro rata basis by applying the percentage of actual disability of such injured member against the awards specified herein for total

loss or loss of use of the same member; provided, however, that if amputation or surgery subsequently become necessary with respect to such member either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional actual healing period, and provided further that said employee shall be entitled to additional compensation in an amount not exceeding the difference between the amount provided for loss of said member and the amount previously awarded under this paragraph.

XXV. Compensation for loss of less than one phalange of a digit shall be not less than one-quarter of the compensation for the entire digit.

XXVI. In the event that an employee has been awarded compensation for loss of a member under this section and in the event that amputation or surgery becomes necessary, with respect to another member of which the original member was or is a component part, either because of the original injury or because of a subsequent accident said employee shall be entitled to an additional actual healing period; provided, however, that said employee shall be entitled to additional compensation in an amount not exceeding the difference between the amount originally awarded and the amount provided for loss of the member with respect to which amputation or surgery subsequently becomes necessary.

13 Single Payments. Amend RSA 281:26-a (supp) as inserted by 1959, 187:6, by adding at the end thereof the following paragraph: IV. When compensation is payable under the provisions of section 26 and the agreement provides for an award not in excess of twenty weeks' compensation, such compensation may be paid in one sum upon approval by the labor commissioner following completion of forms provided for the purpose. Such a payment shall not be considered to be a lump sum settlement, and neither shall it bar an employee from invoking the provisions of section 40 of this chapter.

14 Benefit Period. Amend RSA 281:30 (supp) as amended by 1955, 98:9, 1957, 187:14, 1959, 187:14 and 1961, 194:13, by striking out the same and inserting in place thereof the following: 30 Maximum Benefits. In no case, except as provided in sections 23, 26, 29 and 30-a, shall the weekly compensation payable under this chapter exceed sixty-six and two-thirds per cent of the average weekly wages, or exceed forty-five dollars per week in amount, nor shall any payments, including medical,

hospital services, and other remedial care under section 21, extend over a period of more than three hundred and forty-one weeks from the date of injury.

15 Extension of Medical Benefits. Amend RSA 281:30-a (supp) as inserted by 1961, 194:14, by striking out said section and inserting in place thereof the following: 281:30-a Additional Medical, Hospital, or Other Remedial Care in Unusual Cases. With respect to accidents, occurring after July 1, 1961, whenever an employee has received medical, hospital, or other remedial care during the last six months of any period during which compensation is payable under the provisions of this chapter, pursuant to a six months' extension granted by the labor commissioner, as herein provided, the labor commissioner may grant an extension of such medical and hospital benefits, or other remedial care, upon application duly made therefor, to such extent and for such additional period as he may determine, not exceeding one year, except as otherwise provided. The employer shall be given prompt notice of such request, and, unless the employer agrees to such request within ten days, no such request shall be granted until the injured employee shall have been examined by three duly licensed physicians, one nominated by the employee, one by the employer, and one by the labor commissioner. The labor commissioner's decision shall be based upon the written reports of such physicians, and shall be subject to review in the same manner as other decisions of the labor commissioner under this act. If, at the end of one year any such benefits are still being received pursuant to an extension granted hereunder, the injured employee must file an additional request, and the same procedure shall apply, and may be repeated annually in the same manner.

16 Second Injury Fund. Such parts of RSA 281:48 as provide for payments into the second injury fund are hereby suspended for the period of July 1, 1963 to July 1, 1965.

17 Salary. Amend RSA 91:1 (supp) as amended by 1955, 153:2; 321:1; 323:4, 6; 335:8; 1957, 90:1, 223:2; 274:4, 7; 315:2; 1959, 199:4; 268:12; 1961, 221:4 by, on the line entitled "Commissioner of the Department of Employment Security," striking out in the minimum and maximum salary columns the figures applicable to said position and inserting in the "Minimum" column the figure, \$11,478.22, and in the "maximum" column the figure, \$13,064.22.



18 Takes Effect. Sections 2, 3 and 5 of this act shall take effect on January 1, 1964. The remaining sections of this act shall take effect July 1, 1963, but sections 9, 10, 12 and 14 hereof shall not apply to accidents occurring prior to that date.

Mr. Stevenson of Bethlehem

Mr. Dion of Manchester

Mr. Laflamme of Concord

Conferees on the part of the House

Senator Hartman

Senator Martel

Conferees on the part of the Senate

Mr. Angus of Claremont moved that reading of the report be dispensed with.

(discussion ensued)

Mr. Ferguson of Concord spoke against the motion.

Messrs. Angus of Claremont and Stevenson of Bethlehem spoke in favor of the motion. The motion was adopted.

The question now being on the adoption of the conference report.

On a v v vote the Chair was in doubt and requested a division. Mr. Ferguson of Concord rose on a point of parliamentary procedure. The Chair called for a quorum count and 296 members were counted.

On the division vote, 130 members having voted in the affirmative and 95 in the negative, the conference committee report was adopted.

### **Committee of Conference Report**

HB 536—relating to the expenses of the public utilities commission:

The Committee of Conference recommends that the Senate recede from its position in offering an amendment and that the House recede from its position of nonconcurrence.

The Committee of Conference further recommends that the following amendment be adopted:

Amend the bill by striking out section 1 thereof and inserting in place thereof the following: 1 Expenses Assessed.

Amend RSA 363-A:2 (supp) as inserted by 1955, 203:1 and as amended by 1959, 242:2, by striking out said section and inserting in place thereof the following: 363-A:2 Assessment. The expenses thus ascertained in an amount not exceeding one hundred thirty thousand dollars, shall be assessed against the public utilities described in the foregoing section in the manner herein provided. The public utilities commission shall establish reasonable classifications of public utilities, and shall determine the share of its expense attributable to each such class. Each such share shall be assessed against the several public utilities comprising the class in such proportion as the public utilities commission shall determine to be fair and equitable.

Wilfred J. Larty  
Mildred L. Palmer  
John J. Kearns  
Conferees on Part of House

Lester E. Mitchell  
Margaret B. DeLude  
Conferees on Part of Senate

The report was adopted.

### Senate Message

(Mr. Goode of Manchester in the Chair)

The Senate message announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

HB 155—relating to the disposition of fines collected by municipal court.

### Personal Privilege

Mrs. Greene of Rye rose on a point of personal privilege.

### Resolutions

Mr. Peterson of Peterborough offered the following resolutions:

*Whereas*, we admire the spirit and attitude which George Pappagianis has maintained as a Minority Floor Leader in the 1963 Session of the General Court, and

*Whereas*, we recognize that he has conducted himself with the highest integrity, and

*Whereas*, he has exhibited qualities of modesty and sincerity in his quiet spoken manner; he has never failed to courageously face whatever problem presented itself, and

*Whereas*, he has displayed attributes of courtesy and fairness and has always kept the ability to maintain self control whether the situation demanded a calm explanation or a sharp criticism, and

*Whereas*, his acts of friendship and service have extended far beyond the limits of his obligation to political party, now therefore it is

*Resolved*, that we, the members of the House of Representatives, express our appreciation, and direct that a copy of these resolutions be spread upon our records and a copy given to Mr. Pappagianis.

The resolutions were unanimously adopted.

\* \* \*

Mrs. Hartigan of Rochester presented Mr. Pappagianis of Nashua with a gift from his Democratic colleagues.

Mr. Pappagianis thanked the House for the resolutions and gift.

Mr. Pappagianis of Nashua offered the following resolutions:

*Whereas*, we feel that among the most important qualities of good leader are a calm approach to a problem and an ability to clearly define a situation, and

*Whereas*, we recognize these qualities in Walter Peterson and admire his gentlemanly concern and consideration of the opinion of every member of the House of Representatives, and

*Whereas*, we esteem his ability to be a good listener to the wills and woes of a humble first session member as well as the more involved concerns of an aggressive committee chairman, and

*Whereas*, we admire his facility in the English language, now therefore it is

*Resolved*, That the members of the House of Representatives extend to Mr. Peterson our sincere gratitude for his hours

of devoted service, and direct that a copy of these resolutions be spread upon our records and a copy given to Mr. Peterson.

The resolutions were unanimously adopted.

Mrs. Weeks of Greenland offered the following resolutions:

*Whereas*, we feel that special recognition should be given to our Speaker for successfully and conscientiously presiding over our deliberations for three consecutive unprecedented sessions, and

*Whereas*, we recognize his ability to maintain decorum and personal poise even in the presence of the most disconcerting circumstances, and

*Whereas*, with all his burdens he is never too busy to give thoughtful courteous consideration to any and all of the members, and

*Whereas*, he is held in respect by all the members of the General Court, and

*Whereas*, we wish to express to the Honorable Stewart Lamprey our sincere gratitude for his years of service, now therefore be it

*Resolved*, that a copy of these Resolutions be spread upon the records of the House of Representatives and a copy be given to Mr. Lamprey.

The resolutions were unanimously adopted.

Mr. Shepard of Londonderry offered the following resolutions:

*Whereas*, the orderly progress with which action on fiscal matters can proceed in the House of Representatives depends to a large extent on the chairman of the Appropriations Committee, and

*Whereas*, Arnold Clement has proven to be a dedicated and self-effacing individual, and

*Whereas*, he has worked tirelessly, having in mind always a concern for fiscal responsibility and what is best for the state of New Hampshire, and

*Whereas*, because of his thorough knowledge of New Hampshire's finances we can confidently rely on his judgment and recommendations, with gratitude that he has willingly

used his talents in behalf of the welfare of our beloved state, now therefore it is

*Resolved*, That we, the members of the House of Representatives, express our heartfelt thanks and appreciation and recommend that a copy of these resolutions be spread upon our records and a copy given to Mr. Clement.

The resolutions were unanimously adopted.

(Speaker in the Chair)

### **Recess**

### **After Recess**

### **Senate Message**

The Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 366, relative to a municipal court system with district courts.

### **Amendment to HB 366**

Amend paragraph II of RSA 502-A:40 (as re-numbered 35) by striking out said paragraph and inserting in place thereof the following:

II. If the town shall vote to continue its municipal court at such meeting, such vote shall be certified by the town clerk to the secretary of state and the court of that town shall thereafter continue to be a municipal court with all the jurisdiction, powers, and duties of municipal courts under RSA 502.

Further amend said bill by striking out in section 5 the eighth to the twenty-sixth lines, and inserting in place thereof the following:

6 Repeal. RSA 502:20, 21, 33-44, 49, 50 and 51 (supp) as inserted by 1957, 244, are hereby repealed.

7 Criminal Cases. Amend RSA 502:18 by striking out the same and inserting in place thereof the following: 502:18 Criminal Cases, Municipal Courts. Municipal courts shall have the powers of the justice of the peace and quorum throughout

the state, and shall have original jurisdiction, subject to appeal, of all crimes and offenses committed within the confines of the town wherein such courts are located, which are punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or both.

8 Municipal Courts. In any town which continues to be served by its municipal courts permitted under RSA 502-A:35, the provisions of RSA 502 and any other provisions of the Revised Statutes Annotated pertaining to the jurisdiction, powers, and duties conferred upon municipal courts shall continue in force except as otherwise provided in sections 6 and 7.

Further amend said bill by renumbering sections 6 and 7 to read, 9 and 10, and by amending section 10, as renumbered, by striking out the word "established" and inserting in place thereof the word, retain, and by striking out the words "as a district court."

\* \* \*

On motion of Mr. Totman of Alstead the House concurred in the Engrossed Bills amendment.

A further Senate message announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

SB 3, permitting the hunting of deer with muzzle-loaders.

#### Amendment to SB 3

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act permitting the hunting of deer with muzzle-loaders and permitting the hunting of deer on certain islands.

\* \* \*

On motion of Mr. London of New London the House concurred in the Engrossed Bills amendment.

A further Senate message announced that the Senate has voted to recall from the House of Representatives:

HB 633, relating to the veterans' service exemption and an access road.

Mr. Goode of Manchester moved that the House recall HB 633.

The Chair stated that he had been in conference on the passage of this bill off and on all day. The House would remember that the amendment was divided in three parts, 1, Veterans Exemptions, 2, Department of Safety and 3 Access road. It has been discovered that the Senate has not acted on part 2 and it must be acted on to become law. Unless this procedure is followed the bill will become invalid.

Mr. McMeekin of Haverhill called the attention to the House to a technical error in part 1 of the amendment.

The Chair stated that the Senate is willing to delete section 2.

(discussion ensued)

The motion was adopted.

### **Engrossed Bills Committee Report**

HB 427, to provide per diem for members of the aeronautics commission, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment under Joint Rule No. 6.

### **Amendment to HB 427**

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to provide per diem for members of the aeronautics commission and making special appropriation for the probation department.

\* \* \*

On motion of Mr. Clement of Rochester the House concurred in the Engrossed Bills amendment.

### **Engrossed Bills Committee Report**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Bills:

HB 316, An act relative to the taking of pheasants.

HB 524, An act empowering the state to reimburse towns for loss of taxes under certain circumstances.

HB 532, An act relative to classification of temporary and seasonal state employees.

SB 116, An act relative to fees for insurance companies and brokers.

SB 82, An act establishing a council of resources and development.

SB 134, An act relative to retirement benefits for officials and employees of the regional associations and New Hampshire Municipal Association.

SB 68, An act relative to the reorganization of public higher education in New Hampshire.

HB 363, An act providing for the acquisition of certain water rights and dams controlling the Contoocook River.

HB 607, An act relating to business administrators for school districts.

SB 61, An act relative to credit unions.

Mrs. Potter of Northumberland

Mr. Taft of Greenville moved that the House non-concur on HB 633 and that a committee of conference be appointed.

At the request of Mr. Stafford of Laconia, Mr. Taft explained his motion.

(Mr. McMeekin of Haverhill in the Chair)

Mr. Taft withdrew his motion.

The Chair stated unless he heard an objection HB 633 would be messaged back to the Senate.

No objection being heard, the Chair so ordered.

\* \* \*

Mr. Clement of Rochester gave the House the following report on the fiscal aspects of the state at the present time.

**Estimate at July 1, 1963  
of General Funds Available for Appropriation  
for the Biennium Ending June 30, 1965**

Unappropriated Surplus at June 30, 1962	\$5,711,807
Balance in Salary Adjustment Fund at June 30, 1962	404,741
Total Balance Available at June 30, 1962	<hr/> \$6,116,548



**Estimated Budget Operations for Fiscal Year Ending June 30, 1963:**

Unrestricted General Fund Revenue	\$28,772,549	
Amount freed from Reserve for Funds invested in Liquor Inventory by retirement of bonds issued against this item	214,000	
	<hr/>	28,986,549

Total Estimated Funds Available for Fiscal 1963		\$35,103,097
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**Deduct:**

Net Appropriation, as shown by Division of Accounts at 6/24/63 (without allowance for any appropriations passed at current session of General Court)	\$28,483,129	
Less Estimated Lapses (as shown in Governor's Budget Supplement)	900,000	
	<hr/>	\$27,583,129

Debt Service Requirement (as shown in Budget Supplement)		2,057,357
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Total Estimated Expenditures		<hr/> 29,640,486
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Estimated Unappropriated Surplus at June 30, 1963, before allowance for any appropriations passed by current session of the General Court		\$5,462,611
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**Estimates for Fiscal Year Ending June 30, 1964:**

Unrestricted General Fund Revenue	
(Original estimate)	\$32,246,725
Additional estimate re tobacco tax	200,000

Total	\$32,446,725
Amount available from retirement of bonds issued against Liquor Inventory	214,000

Total Estimated Revenue and Credits	<hr/> \$32,660,725
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**Deduct:**

Estimated Debt Service Requirements, as determined by the State Treasurer	2,394,171
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Balance Available for Appropriation	<hr/> 30,266,554
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**Estimates for Fiscal Year Ending June 30, 1965:**

Unrestricted General Fund Revenue	
(Original estimate)	\$33,214,657
Additional estimate re tobacco tax	200,000

Total	<hr/> \$33,414,657
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Amount available from retirement of bonds issued against Liquor Inventory	214,000	
Total Estimated Revenue and Credits	\$33,628,657	
Deduct:		
Estimated Debt Service Requirements, as deter- mined by the State Treasurer	2,325,532	
Balance Available for Appropriation		31,303,125
Add:		
Reduction in Debt Service for 1964/1965 provided in Sections 1 & 6 of the Capital Budget by ex- tending the amortization period from ten to twenty years as determined by the State Treasurer	325,050	
Lapses of balances to General Fund from several Special Fund accounts, as proposed by the Gov- ernor in the "Budget Supplement"	269,538	
		594,588
Total General Funds Estimated at July 1, 1963 as Available for Appropriation		\$67,626,878
Deduct Budget Bills as passed by General Court:		
For Fiscal Year Ending June 30, 1964	\$32,266,792	
For Fiscal Year Ending June 30, 1965	33,172,165	
Total of Net Appropriations for the General Fund for the Biennium	\$65,438,957	
Less Estimated Lapses of \$625,000 each year as shown in the Governor's "Budget Supplement"	1,250,000	
Estimated Net Budgetary Expenditures	\$64,188,957	
<b>Other General fund appropriations passed by General Court:</b>		
HB 3 Re Clerical Assistance for Supreme Court	1,749	
HB 12 Commission to study State Con- stitution	10,000	
HB 25 Providing Appropriation for State council on aging	2,000	
HB 64 Funds for state nursing scholarship	50,000	
HB 130 Re Participation by N. H. in N. Y. World's Fair	388,000	
HB 144 Re Retired members policemen's retirement system	5,000	
HB 150 Calling for Constitutional Con- vention	100,000	
HB 164 Providing for recompilation of Volume 2, RSA	16,000	

HB 214 State participation in water pollution control	338,000
HB 282 Providing for cumulative pocket supplements for RSA	11,000
HB 317 Additional allowances for certain retired teachers	152,662
HB 340 Relative to mileage rate for state employees	51,000
HB 363 Acquisition of certain dams and water rights on Contoocook River	7,500
HB 398 Policemen's Retirement	188,914
HB 400 To provide group life insurance, and groups hospital, medical and surgical care for state employees, their families, and for retired state employees and their spouses	225,600
HB 427 Per diem for members of Aeronautics Commission	7,744
HB 430 Control of aquatic nuisances on Lake Winnisquam	24,000
HB 510 Study for improved pesticides control	3,000
HB 563 Relative to AREA schools	2,500
HB 592 Interim commission to consider a substitute for stock in trade tax	2,500
HB 596 Uniform Drug Act and relating to pharmacy commission	12,500
HB 607 Revisions of supervisory unions and reassignment of personnel	50,000
HB 621 Relative to the production, distribution and sale of milk and other dairy products	11,157
HB 651 Additional appropriation for expenses of Legislature	150,000
HB 654 Additional appropriation to meet certain contractual deficiencies	456,604
HJR 4 In favor of Lucille Webb	1,500
HJR 5 Distribution of Journal of 1959 Session of Con. Con.	1,750
HJR 6 Operating expenses educational television station WENH-TV, Durham	120,000
HJR 10 Supplemental appropriation for the deaf	24,909
HJR 11 Civil War Centennial Commission	2,500
HJR 13 Mount Washington Observatory	7,000
HJR 14 In favor of N. H. Veterans Assoc.	3,000
HJR 15 Valley Forge Memorial	1,000
HJR 16 Supplemental appropriation for school building aid	67,067
HJR 19 Funds for completion of forest conservation aid to heavily timbered towns payments	11,357

HJR 29 Additional funds for cancer comm.	35,000	
HJR 31 Providing for deficiency appropriation State Hospital	38,738	
HJR 32 Providing for deficiency appropriation Division of Buildings and Grounds	7,969	
SB 17 Appropriation for state-owned aircraft	4,000	
SB 52 Relative to firemen's retirement	80,000	
SB 68 Relative to reorganization of public higher education in N. H.	80,000	
SB 94 Providing additional justice for superior court	34,124	
SJR 6 Claim re Mark Granite	45	
SJR 12 Deficiency appropriation for Interim Commission on Education	5,034	
SJR 13 Favor of Edna Paine	1,114	
	<hr/>	2,793,537
Total Deductions at July 1, 1963		<hr/> 66,982,494
Estimated Balance of General Funds Available at July 1, 1963, after allowing for above deductions		<hr/> <hr/> \$644,384

**GENERAL FUND**

Estimated funds available for appropriation by 1963 Legislature for the biennium ending June 30, 1965	<hr/> <hr/> \$67,626,878
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Derived as follows:

Estimated unappropriated surplus as of June 30, 1963	\$5,462,611
Estimated unrestricted revenue for Fiscal 1964 and 1965	65,861,382
Lapse of special fund balances	269,538
Total	<hr/> \$71,593,531
Less:	
Estimated Debt Service fiscal 1964 and 1965	<hr/> 3,966,653
Balance	<hr/> <hr/> \$67,626,878

Of the \$67,626,878 general funds estimated available, \$64,188,957 (after allowance of \$1,250,000 for estimated lapses) has been appropriated for general expenses of the state in the budget bills for fiscal 1964 and 1965, leaving \$3,437,921 available for so called legislative specials.

Of the \$3,437,921 shown above, the General Court has appropriated \$2,793,537 for legislative specials which leaves an estimated balance of \$644,384.

**TOTAL ESTIMATED GENERAL FUND UNRESTRICTED REVENUE  
FOR THE BIENNIUM ENDING JUNE 30, 1965**

Liquor Revenue	\$18,905,394 or 29%
Racing Revenue	10,541,321 or 17%

Tobacco Tax	10,883,513	or 16%
Insurance Business license taxes	4,880,747	or 7%
Legacy & Estate Taxes	4,000,000	or 6%
Telephone Companies Tax	3,788,264	or 6%
Head Tax	2,750,000	or 4%
Board & Care of Patients	2,181,915	or 3%
Gas & Electric Taxes	1,250,000	or 2%
Other Revenue	6,680,228	or 10%
Total	\$65,861,382	100%

ANALYSIS OF GENERAL FUNDS APPROPRIATED IN BUDGET BILLS  
FOR THE BIENNIUM ENDING JUNE 30, 1965

Health and Welfare	\$23,237,361	or 36%
Education	11,561,527	or 18%
University of New Hampshire	8,717,858	or 13%
Resources and Economic Development	2,359,737	or 4%
		71%
Appropriated for Other Purposes	19,562,474	or 29%
Total General Fund	\$65,438,957	100%

(Mr. Peterson of Peterborough in the Chair)

Mr. Stevens of Epsom thanked the members for the resolutions congratulating him on his appointment to visit behind the Iron Curtain.

\* \* \*

### Senate Message

The Senate message announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

HB 633, relating to the veterans' service exemption and an access road.

### Amendment to HB 633

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 Qualifications. Amend RSA 72:28 (supp) as amended by 1955, 289:1, 1963, 49:1 and 1963, 118:1 by striking out said section and inserting in place thereof the following:

72:28 Service Exemption.

I. Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, as hereinafter provided.

II. In towns in which, as determined by the tax commission, taxes are assessed on real estate upon the basis of one hundred per cent of full and true value, the exemption provided in this section shall be granted to an eligible person, as described in paragraph I hereof, provided that the value of the residential real estate of such person in such town as assessed by the selectmen does not, exclusive of bona fide encumbrances of record thereon, exceed the sum of ten thousand dollars. In other towns, such exemption shall be granted to an eligible person provided that the value of his residential real estate in such town as assessed by the selectmen, exclusive of bona fide encumbrances of record thereon, does not exceed an amount which is in the same proportion to ten thousand dollars as the level of the tax assessments upon real estate in said town, as determined by the tax commission, bears to one hundred per cent of the full and true value of the real estate in said town. No exemption shall be granted a resident qualified for exemption, excepting those with a service-connected disability, who is delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof. The tax exemptions hereinabove provided shall be allowed to every resident of this state who is sixty-five years of age or over irrespective of the assessed value of his or her residential real estate, provided he or she is otherwise qualified under the provisions hereof.

III. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902, extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 2, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

2 Authorization. The commissioner of public works and highways, subject to the approval of the governor and council, is hereby authorized to lay out and construct an access road to the Willard Basin, so-called, in the towns of Lancaster, Jefferson, and Randolph, the city of Berlin, and in the unorganized place of Kilkenny.

3 Appropriation. The sum of three hundred thousand dollars is hereby appropriated to be expended by the department of public works and highways, subject to the approval of the governor and council, for the layout and construction of said road. In order to provide the funds necessary for the appropriation made in this section, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time, a total of three hundred thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than twenty years from the date of issue.

4 Form and Accounts. All such bonds or notes shall be in such form and such denomination as the governor and council shall determine, may be registerable as to both principal and

interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state and the state treasurer shall keep such account of all such bonds or notes as are kept of other state bonds or notes. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized.

5. **Short-term Loans.** Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on such short-term loans exceed the sum of three hundred thousand dollars.

6 **Layout and Classification.** Said access road shall be laid out and constructed in the manner provided by law for Class II highways. After completion of construction, said road shall be designated a Class III road and maintained by the Lancaster development corporation.

7 **Terms and Conditions.** The governor and council are hereby authorized to set the terms and conditions for repayment of any part of the cost of layout and construction of the access road provided in section 3 hereof as said governor and council shall determine to be in the best interest of the state.

8 **Takes Effect.** This act shall take effect sixty days after its passage.

Further amend the bill by striking out the title and inserting in place thereof the following: relating to the veterans' service exemption and access road.

\* \* \*

On motion of Mr. McMeekin of Haverhill the rules of the House were so far suspended as to dispense with the reading of the amendment.



Mr. Taft of Greenville moved that the House non-concur in the Senate amendments and that a committee of conference be appointed and spoke in favor of the motion.

(discussion ensued)

Mr. McGee of Lincoln spoke and called attention of the committee of conference as to when the appropriation would lapse.

Mr. Plumer of Bristol concurred in the remarks of Mr. McGee of Lincoln.

The motion was adopted.

The Chair appointed Messrs. Taft of Greenville, Goode of Manchester and Pappagianis of Nashua as conferees on the part of the House.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 427, to provide per diem for members of the aeronautics commission and making special appropriation for the probation department.

A further Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 633, relating to the veterans' service exemption and the President has appointed as members of said Committee on the part of the Senate: Senator Drake and Senator DeLude.

### **Report of Engrossed Bills Committee**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Bills:

HB 249, An act relative to the taking of wild black bear.

HB 290, An act relative to the retirement age for state employees under the state employees' retirement system.

HB 485, An act relative to building and loan associations.

HB 589, An act relative to group insurance.

Mrs. Potter of Northumberland  
Mrs. Marx of Langdon

(Speaker in the Chair)

### Senate Messages

The Senate message announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bill:

HB 592, establishing an interim commission to consider a substitute for the stock in trade tax.

and the President has appointed as members of said Committee on the part of the Senate: Senator DeLude and, Senator Paquette.

### Committee of Conference Report

The Committee of Conference to whom was referred House Bill 592, An Act establishing an interim commission to consider a substitute for the stock-in-trade tax, having considered the same recommend that the Senate recede from its position in adopting its amendment, that the House recede from its position of non-concurrence and the Senate and the House adopt the following amendments to said bill:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Interim Commission. There is hereby established an interim commission whose function it shall be to study the stock-in-trade taxes imposed by the laws of the state and to recommend a substitution or substitutes therefor. Said commission shall be composed of nine members, three of whom shall be appointed by the speaker of the House of Representatives and one of whom shall be chairman of the commission; two of whom shall be appointed by the president of the senate and one of whom shall be vice-chairman of the commission; four of whom shall be appointed by the governor, one of whom shall be a manufacturer, one of whom shall be a retailer, one of whom shall represent the professions and one of whom shall be a

wholesaler. The members of the commission shall serve without compensation, but shall be reimbursed for their necessary expenses and for clerical assistance. The commission shall render its report, including drafts of appropriate legislation, to the 1965 session of the general court. The sum of five thousand dollars is hereby appropriated for the purposes of this chapter, and the governor is hereby authorized to draw his warrant for said sum out of any monies in the treasury not otherwise appropriated.

Walter R. Peterson, Jr.  
Alexander M. Taft  
Frank H. Sheridan  
Conferees on the part of the House

Louis W. Paquette  
Margaret B. DeLude  
Conferees on the part of the Senate

The report was adopted.

A further Senate message announced that the Senate has voted to adopt the recommendations of the Committees of Conference to whom were referred the following entitled bills:

HB 581, relating to workmen's compensation.

HB 536, relating to the expenses of the public utilities commission.

A further Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

SB 139, prescribing standards in connection with sweeps-takes races and authorizing payment of taxes under protest.

SB 69, relative to the timber yield tax.

### **Engrossed Bills Committee Report**

HB 389, establishing a state-wide library development program, Mrs. Potter of Northumberland for Engrossed Bills. Ought to pass with amendment under Joint Rule 6.

**Amendment to HB 389**

Amend said bill by striking out the first five lines and inserting in place thereof the following:

1 Libraries. Amend RSA by inserting after chapter 201-B (supp) as inserted by 1963, 106, the following new chapter:

**Chapter 201-C****Library Development Program****201-C:1 Declaration of Purpose. In order**

Further amend said bill by renumbering sections numbered 201-B:2 to 201-B:21, inclusive, to read 201-C:2 to 201-C:21, inclusive respectively.

Amend 201-C:19 as renumbered by striking out in the eleventh line the figure "201-B:20" and inserting in place thereof, 201-C:20.

Further amend said section by striking out the figure in the 13th line "201-B" and inserting in place thereof the figure, 201-C.

Amend section 2 by striking out in the second line the figure "201-B" and inserting in place thereof the figure, 201-C.

\* \* \*

On motion of Mr. O'Neil of Chesterfield the House concurred in the Engrossed Bills amendment.

**Resolutions**

Mr. Conover of Manchester offered the following resolutions for the Manchester Delegation:

*Whereas*, Edward T. LaFrance, Representative from Manchester, is hospitalized by a broken leg, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, extend our sympathy to our Fellow Member in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, That a copy of these Resolutions be transmitted to Representative LaFrance.

The resolutions were unanimously adopted.

Mr. Taft of Greenville offered the following resolutions:

*Whereas*, final adjournment is now at hand, due to the diligent and untiring efforts of the Committee on Engrossed Bills, and

*Whereas*, we appreciate the labor and the long hours that this committee has of necessity given to their tasks, therefore be it

*Resolved*, That we, the Members of the 1963 House of Representatives, in General Court convened, do hereby render to this Committee, consisting of Representative Natalie M. Potter of Northumberland, Chairman, Representative Scott F. Eastman of Weare, Vice Chairman, Representative Roger A. Smith of Concord, Representative Eleanor F. Marx of Langdon, and Representative Edward H. York of Concord, our heartiest thanks for work well done and our appreciation of their service, and be it further

*Resolved*, that the committee be given a rising vote of thanks.

By a rising vote the resolutions were unanimously adopted.

Mr. Peterson of Peterborough offered the following concurrent resolution:

#### Concurrent Resolution

*Resolved*, by the house of representatives, the senate concurring, That the general court be authorized to make its own contract in regard to printing which will allow the speaker of the house and president of the senate to negotiate said contract, and to appoint whatever committees may be necessary to look into legislative printing.

The concurrent resolution was adopted.

Mr. Pappagianis of Nashua offered the following concurrent resolution:

#### Concurrent Resolution

*Resolved*, by the House of Representatives the Senate concurring: That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be

adjourned and to receive any communication which he may wish to make.

The concurrent resolution was adopted.

The Chair appointed the following members of the House on this committee: Messrs. Wylie of Fremont, Marsan of Rochester, Pappagianis of Nashua, Spanos of Newport, Grimes of Dover, Gilman of Franklin, Moran of Manchester, Kearns of Manchester, Capistran of Manchester, and Bushey of Northumberland.

Mr. Rufo of Concord offered the following resolutions:

*Whereas*, the members of the House of Representatives of the General Court of the state of New Hampshire have enjoyed the courtesies and privileges that have been generously provided by the Mayor of the City of Concord, therefore be it

*Resolved*, That we, the members of the House of Representatives in General Court assembled, do hereby extend our heartfelt appreciation and gratitude to Mayor Charles C. Davie and all the members of his official family for the considerate and generous manner with which they have exercised their municipal duties, and be it further

*Resolved*, That a copy of these resolutions be transmitted to Mayor Charles C. Davie and the members of his official family.

The resolutions were unanimously adopted.

### Senate Message

The Senate message announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

HB 389, establishing a state wide library development program.

A further Senate message announced that the Senate has voted to discharge its Committee of Conference to whom was referred the following entitled bill:

HB 592, establishing an interim commission to consider a substitute for the stock in trade tax and requests a new committee of conference and the President has appointed as mem-

bers of said Committee of Conference on the part of the Senate: Senators DeLude and Martel.

The House acceded to the request of the Senate and the Chair appointed Messrs. Peterson of Peterborough, Taft of Greenville and Pappagianis of Nashua as conferees on the part of the House.

A further Senate message announced that the Senate has voted to adopt the recommendation of the Committee of Conference to whom was referred the following entitled bill:

HB 633, relating to the veterans' service exemption and an access road.

### Committee of Conference Report

The Committee of Conference to whom was referred House Bill No. 633, An Act relating to the veterans' service exemption and access road, having considered the same report the same with the following recommendation:

First: that the House recede from its position of non-concurrence in the adoption of the Senate amendment and adopt sections 1, 2, 3, 4, 5, 6, and 7 of said amendment;

Second: that the House and Senate concur in the adoption of the following amendments:

Change the title to said bill by striking out the same and inserting in place thereof the following:

An Act relating to the veterans' service exemption and access roads;

Further amend by striking out section 8 and inserting the following new sections:

8 Authorization. The commissioner of public works and highways, subject to the approval of the governor and council, is hereby authorized to lay out and construct six tenths of a mile of access road to the Ragged Mountain Corporation ski development in the town of Danbury.

9 Appropriation. The sum of twenty five thousand dollars is hereby appropriated to be expended by the department of public works and highways, subject to the approval of the governor and council, for the layout and construction of said road. In order to provide the funds necessary for the appropriation

made in this section, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow on the credit of the state from time to time, a total of twenty five thousand dollars for the purpose of carrying into effect the provisions hereof and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds or notes shall be determined in each case by the governor and council but in no case shall they be later than twenty years from the date of issue.

10. Form and Accounts. All such bonds or notes shall be in such form and such denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state and the state treasurer shall keep such account of all such bonds or notes as are kept of other state bonds or notes. The treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds or notes shall be held by the state treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized.

11. Short-term Loans. Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no time shall the indebtedness of the state on such short-term loans exceed the sum of twenty five thousand dollars.

12. Classification. Said access road shall be classified and built by the department of public works and highways as a class V highway.

13. Terms and Conditions. The governor and council are hereby authorized to set the terms and conditions for repayment of any part of the cost of layout and construction of the access road provided in section 9 hereof as said governor and council shall determine to be in the best interest of the state.



14 Takes Effect. Section 1 shall take effect as of April 1, 1964. Sections 2 through 13 inclusive shall take effect upon passage. If authorizations provided in sections 2 and 8 are not fulfilled prior to June 30, 1965, said authorizations shall be terminated.

Henry F. Goode  
Alexander M. Taft  
George S. Pappagianis  
Conferees on the part of the House  
Arthur M. Drake  
Margaret B. DeLude  
Conferees on the part of the Senate

The report was adopted.

### Recess

### Committee Report

SB 7, increasing the salaries of the county attorney and county commissioners of Hillsborough County, Mrs. Potter for Engrossed Bills. Ought to pass with amendment under Joint Rule 6.

### Amendment to SB 7

Amend section 1 of said bill by inserting after the figure "208:1" in the second line the figure, 1963, 95, and by striking out in the eighth line and inserting in place thereof the following:

In Rockingham, three thousand dollars.

Amend section 2 of said bill by inserting in the second line after the figure "210:1" the figure, 1963, 94, and by striking out in the eighth line the words "ten thousand five hundred" and inserting in place thereof the words, three thousand.

\* \* \*

On motion of Mr. Dionne of Nashua the House concurred in the Engrossed Bills amendment.

### Senate Message

The Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

HB 653, making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire.

#### **Amendment to HB 653**

Amend section 6 of said bill by striking out the tenth line and inserting in place thereof the following:

by the trustees of the state colleges and university, provided that all contracts for

Amend section 15 of said bill by striking out the first line and inserting in place thereof the following:

15 Liquidation. The board of trustees of the state colleges and university shall establish

\* \* \*

On motion of Mr. Clement of Rochester the House concurred in the Engrossed Bills amendment.

#### **Report of Committee on Engrossed Bills**

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled House and Senate Bills:

HB 366, An act relative to a municipal court system with district courts.

HB 471, An act adopting certain provisions of the uniform vehicle code.

HB 186, An act repealing the taxation on livestock and poultry.

HB 389, An act establishing a state-wide library development program.

HB 542, An act relative to settlements in behalf of minors.

SB 33, An act to provide additional industrial agents.

SB 3, An act permitting the hunting of deer with muzzle-loaders and permitting the hunting of deer on certain islands.

SB 69, An act relative to the timber yield tax.

SB 139, An act prescribing standards in connection with sweepstakes races and authorizing payment of taxes under protest.

HB 427, An act to provide per diem for members of the aeronautics commission, and making special appropriation for the probation department.

Mrs. Potter of Northumberland  
Mr. Eastman of Weare

\* \* \*

The Chair announced that Mr. Merrill from Hampton Falls is being married next Saturday.

### **New Committee of Conference Report**

The Committee of Conference to which was referred HB 592, an act establishing an interim commission to consider a substitute for the stock-in-trade tax, having considered the same, recommend that the Senate recede from its position in adopting its amendment, that the House recede from its position of non-concurrence and that the Senate and the House adopt the following amendment to said bill.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1 Interim Commission. There is hereby established an interim commission whose function it shall be to study the stock-in-trade taxes imposed by the laws of the state and to recommend a substitution or substitutes therefor. Said commission shall be composed of nine members, three of whom shall be appointed by the speaker of the House of Representatives; two of whom shall be appointed by the president of the Senate; four of whom shall be appointed by the governor, one of whom shall be a manufacturer, one of whom shall be a retailer, one of whom shall represent the professions and one of whom shall be a wholesaler. The organizational meeting of the commission shall be held on September 18, 1963 at the State House and the commission shall, at said meeting, elect a chairman and vice-chairman from its membership. The members of the commission shall serve without compensation, but shall be reimbursed for their necessary expenses and for clerical assistance. The commission shall render its report, including drafts of appropriate legislation, to the 1965 session of the general court. The sum of

five thousand dollars is hereby appropriated for the purposes of this chapter, and the governor is hereby authorized to draw his warrant for said sum out of any monies in the treasury not otherwise appropriated.

Walter R. Peterson  
Alexander M. Taft  
Frank H. Sheridan  
Conferees on the part of the House

Louis I. Martel  
Margaret B. DeLude  
Conferees on the part of the Senate

The committee of conference report was adopted.

### Senate Message

The Senate message announced that the Sanate has voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills and joint resolutions:

SB 7 increasing the salaries of the county attorney and county commissioners of Hillsborough County.

A further Senate message announced that the Senate has voted to adopt the recommendation of the new Committee of Conference to whom was referred the following entitled bill:

HB 592, establishing an interim commission to consider a substitute for the stock-in-trade tax.

### Recess

### After Recess

### Report of Engrossed Bills Committee

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled Bills:

HB 319, An act relative to clams and mussels.

HB 475, An act relating to trustee process on banks and similar corporations.

HB 536, An act relating to the expenses of the public utilities commission.

HB 539, An act relative to hunting and fishing licenses for personnel stationed or attached to the naval shipyard.

HB 633, An act relating to the veterans' service exemption and access roads.

HB 155, An act relating to the disposition of fines collected by municipal court.

HB 273, An act relating to investments of savings banks.

HB 400, An act to provide group life insurance, and group hospital, medical and surgical care for state employees and their spouses.

HB 581, An act relative to workmen's compensation.

HB 592, An act establishing an interim commission to consider a substitute for the stock-in-trade tax.

HB 653, An act making appropriations for capital improvements, long term repairs and deferred maintenance for the state of New Hampshire, and authorizing temporary authority for adjusting of salaries of certain state officials.

SB 7, An act increasing the salaries of the Hillsborough County Attorney and County Commissioners of Hillsborough County.

Mrs. Potter of Northumberland  
Mr. Eastman of Weare  
For the Committee

On motion of Mr. Beard of Lebanon the House adjourned from the morning session.

### **Indefinitely Postponed**

In accordance with the resolution that all bills and joint resolutions pending in either branch on Monday, July 1st at 5:00 o'clock, EDT, be indefinitely postponed, the following entitled bills and captioned joint resolutions were indefinitely postponed:

HB 29, repealing the milk control act.

HB 30, relative to uniform season for taking deer.

HB 32, relative to the employment of an electrical inspector in the office of fire marshal.

**HB 37, amending the standard mileage table.**

HB 50, relating to classification of Class D waters.

HB 77, relative to the salary of the mayor of Rochester.

**HB 90, relative to the study of New Hampshire taxes.**

HB 108, relative to the promotion for certain employees in the city of Manchester.

HB 114, relative to per diem compensation for members of milk control board.

HB 115, relative to use of motor boats on Rock pond.

HB 151, relative to town road aid.

HB 204, relative to salaries of Coos County commissioners.

HB 266, relative to the Belknap county recreational area.

HB 284, relative to the department of agriculture and to the agricultural advisory board.

HB 291, changing the name of Rocky pond in the town of Gilmanton to Garry Lake.

HB 296, to adjust classified salaries of state employees.

HB 304, legalizing the proceedings of the meeting of the Hillsborough county delegation held on January 9, 1963.

HB 306, establishing a state-wide library development program.

HB 327, relating to education of children residing on state-owned property.

HB 333, relating to curfew regulations.

HB 344, relating to school building aid.

HB 352, relative to the salary of the justice of the Littleton municipal court.

HB 369, relative to assistance for families and businesses displaced by highway construction or reconstruction projects.

HB 372, relative to basic work week for state employees and overtime pay for extra work.

HB 393, relative to crediting state aid to school districts.

HB 405, relative to hunting on uncultivated land.

HB 416, relative to minimum speed regulations for operation of motor vehicles.

HB 429, relative to payment to certain persons for loss or damage to property caused by the Merrimack River flood control compact.

HB 431, to provide funds for public access roads and other benefits for recreational use of New Hampshire lakes, ponds and rivers.

HB 441, to provide for the issuance of air carrier certificates of public convenience and necessity for intrastate air transportation.

HB 446, relative to sick leave for public school teachers.

HB 451, relative to the compensation of the director of aeronautics.

HB 453, relative to the government of the city of Lebanon.

HB 480, relative to the sale of liquor in restaurants.

HB 481, relative to classification of surface waters of the Pemigewasset river watershed.

HB 501, relative to certain state officials.

HB 502, relative to fire protection at Plymouth Teachers College.

HB 506, relative to the school board of the Lincoln-Woodstock cooperative school district.

HB 513, relating to grants to cooperative school districts.

HB 517, relating to the city charter of Portsmouth.

HB 518, relative to the Hillsborough county convention.

HB 529, relative to liquor sales representatives.

HB 533, relative to sale of furniture.

HB 534, relative to the public assistance fund.

HB 555, relative to authorizing matching federal payments for fiscal year under the Manpower Development and Training Act of 1962.

HB 557, relating to the use of secondhand parts in the repair of motor vehicles.

HB 559, relative to fees to be charged for recording in the office of the register of deeds for Rockingham County.

HB 560, authorizing the construction of a civil defense emergency operating center by the county of Rockingham.

HB 562, affecting state employees required to be on stand-by duty.

HB 569, relative to aid for emotionally disturbed children.

HB 572, relative to reconstituted beer.

HB 583, providing state aid for transportation of school pupils in school districts having no schools.

HB 585, establishing a traffic and parking commission in the city of Laconia.

HB 587, to allow sale of liquor for on-premise consumption.

HB 591, providing for per-pupil grants to local school districts.

HB 603, to expand the authority of the aeronautics commission and make appropriations therefor.

HB 635, suspending the operation of the milk control act.

HB 640, providing for the employment and salaries of professional personnel of the state board of education at the state teachers colleges.

HB 644, relative to mechanics liens.

HB 648, relative to milk control and removing retail milk price controls.

HB 649, relative to construction of an access road to Ragged Mountain in the town of Danbury.

#### House Joint Resolutions

HJR 8, establishing an interim tax study commission.

HJR 18, in favor of John Wakefield.

HJR 20, in favor of Albert Sharp.



HJR 24, in favor of John and Thomas J. McIntyre.

HJR 25, relative to Bell Tower at Cathedral of the Pines.

HJR 30, relative to mosquito problem in the seacoast area.

### Senate Bills

SB 11, relative to a program of increased improvement of the state primary and secondary highway systems.

SB 23, requiring the use of approved brake meters by inspection stations.

SB 24, relating to the location of advance railroad crossing signs.

SB 25, relating to the protection of railroad crossings.

SB 55, to increase the interest and dividends tax exemption.

SB 60, relative to highway use permits for operation of certain vehicles not registered in this state.

SB 65, providing for a hearing after suspension of a liquor license or beverage permit.

SB 74, relative to renaming a highway.

SB 76, to establish a uniform motor vehicle certificate of title and anti-theft act.

SB 83, relative to non-judicial punishment in the militia.

SB 93, legalizing a meeting of the Monadnock Regional School District.

SB 114, relative to financing of park operations developed between legislative sessions.

SB 126, relative to beauty parlors.

SB 129, relative to the jurisdiction of probate courts.

SB 133, providing for an access road to the Willard Basin Ski development in Lancaster.

### Senate Joint Resolutions

SJR 1, to reimburse legislators for attendance at National Legislative Leaders Conference.

**SJR 4, relative to Pittsfield Dam Acquisition.**

SJR 14, establishing a committee to study safety on highways.

\* \* \*

The Chair requested that the committee to advise the Governor that the House has completed its work and is ready to receive any message he might wish to extend.

\* \* \*

His Excellency, Governor John W. King, appeared before the House and delivered the following message:

**Pro-rogation of General Court — July 1, 1963**

Mr. Speaker and members of the House of Representatives. The time has come once again to prorogue this session of the General Court to another day.

For the past six months your Honorable Body has labored in the traditional joint stewardship with the Governor to maintain and advance the government of the State of New Hampshire. In my opinion this joint stewardship has resulted in a very pleasant and genuinely productive six months of deliberations.

I say to you in deep sincerity and without equivocation that this session of the General Court deserves high commendation for its abilities, for its legislative acumen and for its conduct.

This session of the Legislature has laid to rest those fears expressed six months ago that a General Court of one political persuasion could not work in harmony with an executive of a different party. This body has reaffirmed a long-held conviction of mine that the vast majority of the members of this Legislature, when put to the test, will place principle above party and public interest above political considerations.

To be absolutely frank it is a continual source of surprise and satisfaction to me that so many people in our state are willing to give of themselves so freely in the cause of good government. Surely the material rewards they receive are only a token nature. Their satisfaction must come from the knowledge that they have given of themselves to make our democratic form of government a vital and productive force for advancing the welfare of its citizenry.

I would also express my deep gratitude to those veteran members of both parties whose contributions to the success of this session are certainly far above and beyond the call of ordinary duty. I need not mention names for their dedication is all too well known to you.

The accomplishments of this session are many. This has been a "do something" Legislature that has materially advanced the interests of the state on many fronts.

First and foremost, it has approved a balanced budget for the operation of state government for the next biennium. It is a sound budget that preserves necessary state services while maintaining our fiscal integrity.

This session of the Legislature demonstrated a continuing concern for increased support of education within our available means.

It brought to a reality a dream of our state teachers colleges by granting them a long-sought autonomy of operation. I am certain that this will result in a new era of growth and stature for these institutions.

The Legislature provided capital funds in the amount of 8 million dollars for the expansion of educational facilities in the state. This includes more than 4 million dollars for the construction of new dormitories and more than 3 million dollars for new technical-vocational schools. The present technical-vocational schools in Manchester and Portsmouth will be completely reconstructed and an urgently needed technical-vocational school in the North Country will be built. Let me assure you that this capital improvement program will receive my immediate and continuing attention in order that needed improvements and expansions of our state plant will be effected as soon as possible.

This Legislature has effected long-needed reforms in our judicial system with the establishment of a district court system that will modernize the judicial process in this state.

The 1963 General Court has granted to our cities the power to run their own affairs with the passage of a home rule bill that makes democracy on the local level more meaningful.

Wholly conscious of the need to continue to expand the economy of this state, this Legislature has approved a branch banking bill that will foster economic growth, approved the

establishment of an industrial agent for our North Country, and has appropriated almost 100 million dollars for the construction and maintenance of highways, vital to the economic growth of our state.

By passing a sweepstakes bill this session, the General Court demonstrated again its concern for the rising costs of education and the heavy demands being made upon the treasuries of local communities. By approving the first state operated sweepstakes in this country in more than 60 years, the 1963 Legislature maintained a long-standing tradition that this body is not afraid to pioneer. In so doing, it has demonstrated forcefully that it has the courage to meet the challenges of our times with imagination.

Because of the efforts of this Legislature I am confident the State of New Hampshire will forge ahead rapidly in the next two years.

I consider it highly significant that the progressive accomplishments of this session of the Legislature have been effected without the imposition of more taxes on the people of New Hampshire. I am doubtful that any other state legislature in the United States in this year of 1963 can claim such a distinction.

I wish to take this opportunity to sincerely thank all of you for the courtesies that you have extended to me and for your cooperation with the Governor's office throughout this session. My service in this Legislature for three terms engendered in me an affection for the members of this General Court and that affection has been deepened and strengthened in the past six months. I hope you will continue to come and visit with me in the days that lie ahead and keep me informed of your thinking of the problems that challenge our state.

Our strength in state government lies in our collective thinking and collective action and that is as it should be.

I have been informed by the Joint Committee of the Senate and House of Representatives that you have completed the business of the session. Therefore, now, by the authority vested in me as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the Year of Our Lord one thousand nine hundred and sixty-four.

The Chaplain, Reverend William L. Shafer, offered the Benediction as follows:

GRACIOUS FATHER — in these majestic moments of anticipation — We turn our thoughts to Thee; humbly seeking Thy blessings of love, peace, and mercy. Diligently have we labored, utilizing our best abilities to sustain and preserve the cause of freedom entrusted to our care. If we have erred in our judgments, or failed in our obligations; if we have left undone those challenges which deserved our attention — forgive us, O Loving and Merciful Father, and judge us for the good we have been able to accomplish. As we conclude this final session of the 138th New Hampshire General Court — we reaffirm our faith in Thee and commit our beloved “Granite State” to Thy continual loving care. Safeguard us while we are apart, and preserve the officers of our State in their continuing public service. Bless to our memory the joys of our fellowship together, and with confidence in the future may we depart in peace. So be it — in the Name of the Father, and of the Son, and of the Holy Spirit. Amen.

\* \* \*

The House pledged allegiance to the Flag.

\* \* \*

By virtue of the proclamation of His Excellency, the Governor, the Chair declared the House of Representatives adjourned at 12:31 on Tuesday, July 2, 1963 until the last Wednesday of December, 1964.

FRANCIS W. TOLMAN,  
Clerk.

A true copy, Attest:

FRANCIS W. TOLMAN,  
Clerk.



## APPENDIX I





# Final Disposition of Bills and Resolutions

## HOUSE BILLS

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HB 1, exemption from liability in certain cases under the civil defense act.

**Engrossed.** Chapter 6, Laws of 1963.

HB 2, provide for primary for nomination of candidates for city of Rochester.

**Killed.**

HB 3, clerical assistants for the supreme court.

**Engrossed.** Chapter 15, Laws of 1963.

HB 4, disposal of papers & records for Dept. Pub. Works & Highways.

**Engrossed.** Chapter 16, Laws of 1963.

HB 5, physicians & surgeons, fees for examinations for practice.

**Engrossed.** Chapter 11, Laws of 1963.

HB 6, classification of a highway in Newton.

**Engrossed.** Chapter 400, Laws of 1963.

HB 7, authorizing the attorney general to act as attorney for Dept. of Safety employees.

**Killed.**

HB 8, to make unlawful certain fraudulent dealing with collateral, etc.

**Engrossed.** Chapter 17, Laws of 1963.

HB 9, salary of the justice of Portsmouth Municipal Court.

**Engrossed.** Chapter 13, Laws of 1963.

HB 10, increasing salary of clerk of Portsmouth Municipal Court.

**Engrossed.** Chapter 14, Laws of 1963.

HB 11, meetings of highway agents for instruction.

**Engrossed.** Chapter 7, Laws of 1963.

HB 12, providing for a commission to study the state constitution.

**Engrossed.** Chapter 186, Laws of 1963.

HB 13, salary of treasurer of Rockingham County.

**Engrossed.** Chapter 8, Laws of 1963.

HB 14, county appropriations for fire mutual aid system.  
**Killed.**

HB 15, provide certain deductions from retirement benefits . . . employees pol subdiv.

**Engrossed.** Chapter 1, Laws of 1963.

HB 16, resurfacing of Eastern and Central turnpikes.  
**Killed.**

HB 17, trans. Brookfield & Wakefield from councilor district 2 to district 1.

**Engrossed.** Chapter 2, Laws of 1963.

HB 18, outdoor advertising.

**Engrossed.** Chapter 3, Laws of 1963.

HB 19, State Library.

**Engrossed.** Chapter 21, Laws of 1963.

HB 20, voting machines in the City of Manchester.  
**Killed.**

HB 21, Concord City Charter.

**Engrossed.** Chapter 420, Laws of 1963.

HB 22, mtr. vehicles parked on street or public parking areas.

**Killed.**

HB 23, Concord Female Charitable Soc.

**Engrossed.** Chapter 380, Laws of 1963.

HB 24, toilet fac. for restaurants. etc.

**Engrossed.** Chapter 9, Laws of 1963.

HB 25, appropriation for the state council on aging.

**Engrossed.** Chapter 80, Laws of 1963.

HB 26, correcting references in statutes providing for highway bond issue.

**Engrossed.** Chapter 4, Laws of 1963.

HB 27, debt service for the Eastern N. H. Turnpike.

**Engrossed.** Chapter 97, Laws of 1963.

HB 28, mtr. veh. driver training and operator's license fees.  
**Killed.**

HB 29, repeal milk control act.

**Killed.**

HB 30, uniform season for taking deer.

**Killed.**

HB 31, repeal of the school per capita tax.

**Engrossed.** Chapter 117, Laws of 1963.

HB 32, employment . . . electrical inspector in the office of fire marshal.

**Killed.**

HB 33, date of the primary election.

**Veto sustained.**

HB 34, sewerage system Plymouth Vil. Fire District.

**Engrossed.** Chapter 373, Laws of 1963.

HB 35, powers & duties Town of Hanover repealing charter of Vill. Prec. of Hanover.

**Engrossed.** Chapter 374, Laws of 1963.

HB 36, amend interest and dividends tax.

**Killed.**

HB 37, amending mileage table.

**Killed.**

HB 38, providing for a director of legislative services.

**Engrossed.** Chapter 297, Laws of 1963.

HB 39, capital reserve fund estab. by Lincoln School District.

**Engrossed.** Chapter 386, Laws of 1963.

HB 40, sewage & waste treatment plants & septic tanks . . . Town of Littleton.

**Engrossed.** Chapter 372, Laws of 1963.

HB 41, approp. to employ airport eng.

**Killed.**

HB 42, election of county commissioners for county districts Belknap County.

**Killed.**

HB 43, hearing in cases of suspension or revocation liq. lic. or permits.

**Killed.**

HB 44, establishing Tech. Inst. in Manch.  
**Killed.**

HB 45, requiring surety bonds for municipal court clerks.  
**Engrossed.** Chapter 41, Laws of 1963.

HB 46, equipping mtr. veh. with safety belts.  
**Killed.**

HB 47, conduct of sweepstake races & sale of tickets there-  
on.

**Engrossed.** Chapter 52, Laws of 1963.

HB 48, public libraries.  
**Engrossed.** Chapter 46, Laws of 1963.

HB 49, removal, trans. and disposal of human excrement.  
etc.

**Engrossed.** Chapter 25, Laws of 1963.

HB 50, classification Class D. Waters.  
**Killed.**

HB 51, unemploy. benefits . . . seasonal employees of the  
state.

**Killed.**

HB 52, assess special poll tax for school purposes.  
**Killed.**

HB 53, changing hours hunting wild deer and black bear.  
**Killed.**

HB 54, providing for the acquisition of a certain dam &  
water rights by the Water Resources Board.

**Engrossed.** Chapter 212, Laws of 1963.

HB 55, hunting deer by groups of persons.  
**Killed.**

HB 56, disqualification of justices of the mun. court.  
**Engrossed.** Chapter 27, Laws of 1963.

HB 57, authorizing towns & cities to provide life & health  
insurance for its employees.

**Engrossed.** Chapter 90, Laws of 1963.

HB 58, minimum treatment standards for sewage & indus-  
trial wastes.

**Engrossed.** Chapter 47, Laws of 1963.

HB 59, requiring cities & towns to provide adequate court-rooms for mun. courts.

**Engrossed.** Chapter 10, Laws of 1963.

HB 60, support of spouse.

**Engrossed.** Chapter 42, Laws of 1963.

HB 61, pulmonary disease.

**Killed.**

HB 62, penalties for reckless operation of boats resulting in death.

**Engrossed.** Chapter 22, Laws of 1963.

HB 63, hunting from mtr. veh. by disabled persons.

**Engrossed.** Chapter 81, Laws of 1963.

HB 64, funds for the state nursing scholarship program.

**Engrossed.** Chapter 265, Laws of 1963.

HB 65, non-resident hunting & fishing licenses.

**Engrossed.** Chapter 77, Laws of 1963.

HB 66, Fish & Game licenses for persons 70 years of age.

**Engrossed.** Chapter 78, Laws of 1963.

HB 67, advisory comm. . . . Dept. Res. & Eco. Dev., & transfers within dept.

**Killed.**

HB 68, revenue derived from shellfish licenses and fines.

**Killed.**

HB 69, legalize Annual Meeting of Town of Seabrook, March 1962.

**Engrossed.** Chapter 375, Laws of 1963.

HB 70, approval rates payable care of dependent children.

**Killed.**

HB 71, special meetings of the Mayor & Board of Aldermen of Concord.

**Engrossed.** Chapter 421, Laws of 1963.

HB 72, charter of N. H. Centennial Home for the Aged.

**Engrossed.** Chapter 388, Laws of 1963.

HB 73, gifts to the town of Tamworth.

**Engrossed.** Chapter 389, Laws of 1963.

HB 74, prowlers, peeking in windows.

**Killed.**

HB 75, veterans' exemption.

**Engrossed.** Chapter 118, Laws of 1963.

HB 76, limit period . . . past due support institutional inmates may be recovered & rate for support inmates Laconia St. School.

**Legislative Council.**

HB 77, salary of Mayor of Roch.

**Killed.**

HB 78, legalizing action at spec. meet. in Town of Littleton.

**Engrossed.** Chapter 382, Laws of 1963.

HB 79, natl. system interstate & defense highways Portsmouth-Kittery area.

**Legislative Council.**

HB 80, depositing official ballots.

**Killed.**

HB 81, authority of the commissioner of Public Works & Highways.

**Engrossed.** Chapter 82, Laws of 1963.

HB 82, improper exposure of the person.

**Killed.**

HB 83, authorizing towns to remove diseased trees on private lands.

**Killed.**

HB 84, provide for chairmen pro tem for Water Pollution Commission & relative to standards for Class B-1 waters.

**Engrossed.** Chapter 26, Laws of 1963.

HB 85, one open season for taking deer.

**Engrossed.** Chapter 298, Laws of 1963.

HB 86, providing salary increase for classified state employees.

**Killed.**

HB 87, racing on ice of public waters.

**Killed.**

HB 88, reciprocity of boat operation with residents of contiguous states.

**Engrossed.** Chapter 18, Laws of 1963.

HB 89, exemption from property taxes certain parts of state airways system.

**Engrossed.** Chapter 79, Laws of 1963.

HB 90, study of N. H. taxes.

**Killed.**

HB 91, copies of school laws.

**Killed.**

HB 92, legal holidays.

**Killed.**

HB 93, increase powers Queen of Peace College.

**Engrossed.** Chapter 384, Laws of 1963.

HB 94, prepayment of taxes.

**Engrossed.** Chapter 36, Laws of 1963.

HB 95, open season for fisher in Carroll County.

**Killed.**

HB 96, pari-mutuel pools on jai alai.

**Killed.**

HB 97, armed robbery.

**Killed.**

HB 98, hunting & fishing licenses for aliens married to residents.

**Killed.**

HB 99, the practice of chiropractic.

**Killed.**

HB 100, the assessment & collection of a special head tax for state purposes.

**Engrossed.** Chapter 51, Laws of 1963.

HB 101, municipal permits for registration.

**Killed.**

HB 102, imposing tax on television signal distribution systems.

**Killed.**

HB 103, service fees from initial plates.

**Engrossed.** Chapter 142, Laws of 1963.

HB 104, advisory commission & transfer of powers under the Dept. of Health & Welfare.

**Killed.**

HB 105, election printing by Sec. of State.

**Engrossed.** Chapter 23, Laws of 1963.

HB 106, relocation of a portion of the central N. H. turnpike.

**Engrossed.** Chapter 281, Laws of 1963.

HB 107, providing for election of county commissioners for cnty. dists. of Rockingham county.

**Killed.**

HB 108, promotion for certain employees City of Manchester.

**Killed.**

HB 109, limitation of recovery of damages for wrongful death.

**Engrossed.** Chapter 98, Laws of 1963.

HB 110, questions submitted to voters of the Town of Meredith.

**Engrossed.** Chapter 381, Laws of 1963.

HB 111, printing of proceedings of the county convention of Belknap County.

**Engrossed.** Chapter 225, Laws of 1963.

HB 112, advertising of beverages.

**Engrossed.** Chapter 266, Laws of 1963.

HB 113, location of the Technical School.

**Killed.**

HB 114, per diem compensation members of milk control board.

**Killed.**

HB 115, use of motor boats on Rock Pond.

**Killed.**

HB 116, taxation of horses.

**Killed.**



HB 117, methods of adopting zoning ordinances.

**Engrossed.** Chapter 5, Laws of 1963.

HB 118, clerical assistants for Division of Interest & Dividends of State Tax Comm.

**Killed.**

HB 119, authorizing Div. of Interest & Dividends to require corporations to furnish information as to amounts of dividends paid to N. H. residents.

**Killed.**

HB 120, enforcement of laws concerning cruelty to animals.

**Engrossed.** Chapter 57, Laws of 1963.

HB 121, construction of physical education facilities at the Univ. of N. H.

**Engrossed.** Chapter 116, Laws of 1963.

HB 122, redemption of specific devices.

**Engrossed.** Chapter 43, Laws of 1963.

HB 123, relating to trailers.

**Engrossed.** Chapter 62, Laws of 1963.

HB 124, providing penalty for falsely reporting a bomb scare.

**Engrossed.** Chapter 86, Laws of 1963.

HB 125, purchase exceptions.

**Engrossed.** Chapter 63, Laws of 1963.

HB 126, liens of attorneys.

**Engrossed.** Chapter 89, Laws of 1963.

HB 127, bonds for dormitories at the State Teachers Col. & for new office building.

**Engrossed.** Chapter 179, Laws of 1963.

HB 128, to increase authority of the N. H. Congrega-Christian Conf. to hold property.

**Engrossed.** Chapter 390, Laws of 1963.

HB 129, relative to sale of liq. and bev. in first class hotels.

**Engrossed.** Chapter 50, Laws of 1963.

HB 130, participation by State of N. H. in World's Fair, 1964-65.

**Engrossed.** Chapter 31, Laws of 1963.

HB 131, prevention of fires by railroad locomotives.

**Engrossed.** Chapter 121, Laws of 1963.

HB 132, legalize action taken to auth. sewr. bonds . . .  
Laconia w/the guarantee of State of N. H.

**Engrossed.** Chapter 376, Laws of 1963.

HB 133, reclassification of road in Haverhill.

**Killed.**

HB 134, enforcement of classification of surface waters.

**Engrossed.** Chapter 48, Laws of 1963.

HB 135, road in Rindge.

**Killed.**

HB 136, reports to the legislature of filings by lobbyists.

**Killed.**

HB 137, passenger tramways.

**Engrossed.** Chapter 53, Laws of 1963.

HB 138, to allow printing of party designations on check  
lists.

**Engrossed.** Chapter 37, Laws of 1963.

HB 139, taking of black bear.

**Killed.**

HB 140, group life insurance.

**Engrossed.** Chapter 99, Laws of 1963.

HB 141, improvement of a highway in New Ipswich.

**Killed.**

HB 142, sale of recapped mtr. veh. tires.

**Killed.**

HB 143, shooting of humans while hunting.

**Killed.**

HB 144, retired members of the policemen's retirement  
system.

**Engrossed.** Chapter 107, Laws of 1963.

HB 145, exemption from poll tax by persons over 65 years.

**Killed.**

HB 146, classification of a highway in the Town of Groton.

**Killed.**

HB 147, use of boats & outboard motors on small ponds.  
**Engrossed.** Chapter 119, Laws of 1963.

HB 148, non-forfeiture benefits & reserve valuations of industrial life insurance policies.

**Engrossed.** Chapter 34, Laws of 1963.

HB 149, pub. meetings and records.

**Killed.**

HB 150, providing for the calling of a Constitutional Convention.

**Engrossed.** Chapter 143, Laws of 1963.

HB 151, town road aid.

**Killed.**

HB 152, laws governing sale of liq. beers and wines.

**Killed.**

HB 153, motor vehicle fees.

**Engrossed.** Chapter 68, Laws of 1963.

HB 154, operation of overweight vehicles.

**Killed.**

HB 155, disposition of fines collected by municipal courts.

**Engrossed.** Chapter 325, Laws of 1963.

HB 156, mtr. vehicles on ice on Great Bay.

**Killed.**

HB 157, construction of a residence hall at the Univ. of N. H. & to be liquidated from income.

**Engrossed.** Chapter 205, Laws of 1963.

HB 158, increasing certain penalties.

**Killed.**

HB 159, changing penalty in assaults.

**Engrossed.** Chapter 28, Laws of 1963.

HB 160, fixing penalties for indecent exposure.

**Killed.**

HB 161, real estate tax exemption for certain aged residents.

**Killed.**

HB 162, certain deductions from retirement benefits for policemen.

**Engrossed.** Chapter 58, Laws of 1963.

HB 163, rehabilitation of covered wooden bridges.

**Engrossed.** Chapter 29, Laws of 1963.

HB 164, providing for recompilation of Vol. 2 of the Rev. Stat. Annotated.

**Engrossed.** Chapter 100, Laws of 1963.

HB 165, sale of the Franklin armory.

**Engrossed.** Chapter 32, Laws of 1963.

HB 166, replacements in an extension of heating plant system at UNH.

**Engrossed.** Chapter 30, 1963.

HB 167, cancellation of accident & health ins. policies.

**Killed.**

HB 168, Mascoma Valley Reg. School District.

**Engrossed.** Chapter 378, Laws of 1963.

HB 169, costs of certain cases brought by mechanics and materialmen.

**Killed.**

HB 170, part payment of real estate taxes.

**Killed.**

HB 171, abolish capital punishment.

**Killed.**

HB 172, costs in cases against state officials.

**Killed.**

HB 173, observance of Veterans Day.

**Killed.**

HB 174, limitation on expenditures under mun. budget act.

**Killed.**

HB 175, mtr. veh. accident reports.

**Killed.**

HB 176, furnishing accommodations & rendering services on state forests & reservations.

**Killed.**

HB 177, auth. of commissioner of Pub. Wrks. and Highways.

**Killed.**

HB 178, travel allowance of members of general court.

**Killed.**

HB 179, registration of lobbyists.

**Killed.**

HB 180, incorporation of trust companies.

**Engrossed.** Chapter 267, Laws of 1963.

HB 181, purchase of data processing systems by insurance companies.

**Engrossed.** Chapter 69, Laws of 1963.

HB 182, head tax to be used by towns and cities for educational purposes.

**Killed.**

HB 183, definition of a hairdressing shop.

**Engrossed.** Chapter 128, Laws of 1963.

HB 184, Town of Wolfeboro.

**Engrossed.** Chapter 379, Laws of 1963.

HB 185, School District budget & approval of tax rate by tax commission.

**Engrossed.** Chapter 242, Laws of 1963.

HB 186, repealing the taxation of livestock & poultry.

**Engrossed.** Chapter 318, Laws of 1963.

HB 187, use of facsimile signatures & seals in corporate bonds & other obligations.

**Engrossed.** Chapter 38, Laws of 1963.

HB 188, construction of a new instructional bldg. & remodeling of certain present bldgs.

**Engrossed.** Chapter 187, Laws of 1963.

HB 189, authorizing real estate tax exemptions for certain women over 62.

**Killed.**

HB 190, transportation aid to school districts.

**Killed.**

HB 191, commitment to the industrial school.

**Engrossed.** Chapter 213, Laws of 1963.

HB 192, water level of Milton 3 Ponds.

**Killed.**

HB 193, removal of prisoners from county jails.

**Killed.**

HB 194, investments of savings banks.

**Engrossed.** Chapter 144, Laws of 1963.

HB 195, Gale Home for Aged & Destitute Women.

**Engrossed.** Chapter 402, Laws of 1963.

HB 196, sale of ice cream by weight.

**Killed.**

HB 197, temporary registration of automobiles purchased outside state.

**Killed.**

HB 198, credit unions.

**Engrossed.** Chapter 35, Laws of 1963.

HB 199, classification of a highway in Town of Goffstown & City of Manchester.

**Engrossed.** Chapter 396, Laws of 1963.

HB 200, taking of lobsters.

**Killed.**

HB 201, exceeding appropriations by county commissioners.

**Engrossed.** Chapter 59, Laws of 1963.

HB 202, health ins. for state employees.

**Killed.**

HB 203, attachment liens.

**Engrossed.** Chapter 214, Laws of 1963.

HB 204, salaries of Coos County Comm.

**Killed.**

HB 205, salary of director of safety services.

**Killed.**

HB 206, raise revenue for educational purposes.

**Killed.**

HB 207, providing immunity from liability in emergency cases.

**Engrossed.** Chapter 256, Laws of 1963.

HB 208, legalizing annual town meet. in Town of Windham.

**Killed.**

HB 209, extra pay for police force in City of Manchester.

**Engrossed.** Chapter 393, Laws of 1963.

HB 210, in favor of certain agents of the Fish & Game Department.

**Engrossed.** Chapter 91, Laws of 1963.

HB 211, establishment of a cooperative school district in the Newfound area.

**Engrossed.** Chapter 394, Laws of 1963.

HB 212, authorizing the use of the name N. H. Life Insurance Co.

**Engrossed.** Chapter 401, Laws of 1963.

HB 213, establishing closed season on hen pheasants in certain towns.

**Killed.**

HB 214, state participation in water pollution control costs.

**Engrossed.** Chapter 215, Laws of 1963.

HB 215, governing nursing home service corporations.

**Legislative Council.**

HB 216, reports to the tax commission.

**Engrossed.** Chapter 120, Laws of 1963.

HB 217, pharmacy fees & board assistants.

**Engrossed.** Chapter 83, Laws of 1963.

HB 218, filing of insurance by carriers of property & passengers for hire by motor vehicle.

**Engrossed.** Chapter 130, Laws of 1963.

HB 219, motor carriers of property.

**Engrossed.** Chapter 268, Laws of 1963.

HB 220, lost fish and game licenses.

**Killed.**

HB 221, state guarantee of municipal bonds & water pollution projects.

**Engrossed.** Chapter 167, Laws of 1963.

HB 222, reporting certain shortages of funds.

**Engrossed.** Chapter 145, Laws of 1963.

HB 223, increasing F & G fees.

**Killed.**

HB 224, legalizing adoption of zoning regs. in town of Pelham.

**Killed.**

HB 225, legalize proceedings of spec. meeting of Wolfeboro School District.

**Engrossed.** Chapter 383, Laws of 1963.

HB 226, certain transfer of land from the state to town of Newbury.

**Engrossed.** Chapter 24, Laws of 1963.

HB 227, taxation of life ins. companies

**Killed.**

HB 228, fees for medical referees.

**Engrossed.** Chapter 64, Laws of 1963.

HB 229, personnel advisory board of the city of Portsmouth.

**Engrossed.** Chapter 407, Laws of 1963.

HB 230, town road aid.

**Killed.**

HB 231, compensation for members of board of medical examiners.

**Engrossed.** Chapter 72, Laws of 1963.

HB 232, payments in lieu of taxes on certain recreational lands.

**Killed.**

HB 233, Colby Junior College for Women.

**Engrossed.** Chapter 410, Laws of 1963.

HB 234, bounty on bobcats, lynxes, timber wolves and prairie wolves.

**Engrossed.** Chapter 226, Laws of 1963.



HB 235, disposition of fines imposed for shooting a human while hunting.

**Killed.**

HB 236, investments of credit unions.

**Killed.**

HB 237, charitable contributions by savings banks and co-operative banks.

**Killed.**

HB 238, duties of bank commissioner.

**Killed.**

HB 239, emergency payments by county commissioners.

**Killed.**

HB 240, service exemption.

**Engrossed.** Chapter 49, Laws of 1963.

HB 241, limiting authority of state agencies.

**Killed.**

HB 242, prohibiting taking of hen pheasants.

**Killed.**

HB 243, investment of school district funds.

**Engrossed.** Chapter 87, Laws of 1963.

HB 244, fees for wholesaler & mfr. of alcoholic beverages.

**Killed.**

HB 245, maintenance of bridges on Class II highways.

**Killed.**

HB 246, horse or pony pulling contests.

**Killed.**

HB 247, change name of Shaw's Pond in New Durham to Pleasant View Lake.

**Killed.**

HB 248, requiring certain marking for so-called native farm products.

**Engrossed.** Chapter 160, Laws of 1963.

HB 249, taking of wild black bear.

**Engrossed.** Chapter 311, Laws of 1963.

HB 250, adoptions.

**Referred to Legislative Council.**

HB 251, ice fishing.

**Engrossed.** Chapter 92, Laws of 1963.

HB 252, authorizing the establishment of conservation commissions by cities & towns.

**Engrossed.** Chapter 168, Laws of 1963.

HB 253, qualifications of trustees & directors of certain bank institutions & credit unions.

**Killed.**

HB 254, discrimination in the sale of beverages.

**Killed.**

HB 255, primary election in city of Manchester.

**Engrossed.** Chapter 392, Laws of 1963.

HB 256, authorizing retirement system for employees of the city of Berlin.

**Engrossed.** Chapter 445, Laws of 1963.

HB 257, railroad-highway grade crossings.

**Engrossed.** Chapter 54, Laws of 1963.

HB 258, to increase fees for licensing for propagation of fish & game.

**Engrossed.** Chapter 135, Laws of 1963.

HB 259, increase the fees for special fish & game licenses.

**Engrossed.** Chapter 136, Laws of 1963.

HB 260, establish a fee for importation of fish & game.

**Engrossed.** Chapter 164, Laws of 1963.

HB 261, increase fees for registration & licensing of guides.

**Killed.**

HB 262, temporary employees of Department of Public Works & Highways.

**Engrossed.** Chapter 111, Laws of 1963.

HB 263, establishing Haverhill Union School District.

**Killed.**

HB 264, qualification by school districts for state financial aid.

**Killed.**

HB 265, provide funds for preparation of property maps.  
**Referred to Legislative Council.**

HB 266, Belknap County recreational area.  
**Killed.**

HB 267, changing name of N. H. State Hospital.  
**Engrossed.** Chapter 39, Laws of 1963.

HB 268, providing for the classification of the waters of Newfound Lake.  
**Engrossed.** Chapter 108, Laws of 1963.

HB 269, amount of annual memberships paid by towns to town officers' associations.  
**Engrossed.** Chapter 60, Laws of 1963.

HB 270, Use of poisons for the control of certain birds.  
**Engrossed.** Chapter 183, Laws of 1963.

HB 271, prohibiting misuse of boat registration plates.  
**Killed.**

HB 272, outstanding state checks.  
**Engrossed.** Chapter 84, Laws of 1963.

HB 273, investments of savings banks.  
**Engrossed.** Chapter 326, Laws of 1963.

HB 274, fishing without license by patients at veterans' hospitals & inmates of certain institutions.  
**Engrossed.** Chapter 88, Laws of 1963.

HB 275, taxation exemption for disabled veterans.  
**Engrossed.** Chapter 174, Laws of 1963.

HB 276, sale of certain animals & birds.  
**Engrossed.** Chapter 131, Laws of 1963.

HB 277, limitation on appropriations in towns adopting municipal budget act.  
**Killed.**

HB 278, definition of resident under Fish & Game Laws.  
**Killed.**

HB 279, penalty for escape from houses of correction.  
**Engrossed.** Chapter 122, Laws of 1963.

HB 280, provide for a constitutional convention.

**Killed.**

HB 281, remodeling of certain bldgs. & construction of a new greenhouse at UNH.

**Engrossed.** Chapter 180, Laws of 1963.

HB 282, provide for cumulative pocket supplements for RSA.

**Engrossed.** Chapter 101, Laws of 1963.

HB 283, taxation of real estate.

**Killed.**

HB 284, Dept. of Agric. & Agric. Advisory Board.

**Killed.**

HB 285, investments for savings banks.

**Engrossed.** Chapter 44, Laws of 1963.

HB 286, salary of mayor, aldermen & members of the school committee of the City of Man.

**Engrossed.** Chapter 427, Laws of 1963.

HB 287, licensing of auctioneers.

**Killed.**

HB 288, operation of motor vehicles when blind persons are crossing a way.

**Engrossed.** Chapter 61, Laws of 1963.

HB 289, seasons for taking of deer.

**Killed.**

HB 290, retirement age for state employees under state employees' retirement system.

**Engrossed.** Chapter 312, Laws of 1963.

HB 291, change name of Rocky Pond in Gilmanton to Garry Lake.

**Killed.**

HB 292, possession of big game animals taken outside the state.

**Killed.**

HB 293, abolishing capital punishment.

**Killed.**

HB 294, taxation of boats and unrefunded motor vehicle road tolls.

**Referred to Legislative Council.**

HB 295, taxation of horses.

**Killed.**

HB 296, adjust classified salaries of state employees.

**Killed.**

HB 297, authorizing counties to provide life and health insurance for their employees.

**Engrossed.** Chapter 140, Laws of 1963.

HB 298, sale of liquor and beverages in private clubs.

**Killed.**

HB 299, municipal budgets.

**Killed.**

HB 300, authorizing Clifford R. Lizotte to apply for so called Korean bonus.

**Killed.**

HB 301, changing location of present deer line.

**Killed.**

HB 302, State board of Conciliation & Arbitration.

**Engrossed.** Chapter 216, Laws of 1963.

HB 303, naming Tech. Inst. for Chester E. Merrow (former congressman) & provide for portrait of Mr. Merrow.

**Killed.**

HB 304, legalize proceedings of meeting of Hillsborough County Del. held 1/9/63.

**Killed.**

HB 305, making additional appropriations for prison industries.

**Killed.**

HB 306, establishing state-wide library development program.

**Killed.**

HB 307, salary of the sheriff of Rockingham County.

**Engrossed.** Chapter 129, Laws of 1963.

HB 308, taxation of property moved into town after April 1st.

**Engrossed.** Chapter 85, Laws of 1963.

HB 309, to grant the tax units within the state authority to assess state-owned lands and collect taxes therefrom.

**Killed.**

HB 310, taxation of trailers on land owned by another.

**Killed.**

HB 311, licensed practical nurses.

**Killed.**

HB 312, salary of the justice of the Manchester municipal court.

**Killed.**

HB 313, Bank Advisory Board.

**Engrossed.** Chapter 217, Laws of 1963.

HB 314, issues of law arising in municipal courts.

**Killed.**

HB 315, marking fishing holes cut in ice on Great Bay.

**Engrossed.** Chapter 218, Laws of 1963.

HB 316, taking of pheasants.

**Engrossed.** Chapter 307, Laws of 1963.

HB 317, providing additional retirement allowances for certain retired teachers.

**Engrossed.** Chapter 236, Laws of 1963.

HB 318, branch banking and bank holding affiliates.

**Engrossed.** Chapter 188, Laws of 1963.

HB 319, clams and mussels.

**Engrossed.** Chapter 320, Laws of 1963.

HB 320, relating to packages containing bread, cake or doughnuts.

**Killed.**

HB 321, deposit of securities by domestic life insurance companies.

**Engrossed.** Chapter 70, Laws of 1963.

HB 322, real estate owned by domestic life insurance companies.

**Engrossed.** Chapter 71, Laws of 1963.

HB 323, providing for a secretary for sheriff of Strafford County.

**Killed.**

HB 324, establishing the standard time.

**Killed.**

HB 325, providing for an additional reviewing appraiser in Dept. of Pub. Wrks.

**Killed.**

HB 326, establishing a young boatman's training program.

**Killed.**

HB 327, education of children residing on state-owned property.

**Killed.**

HB 328, termination statements under the uniform commercial code.

**Killed.**

HB 329, initial registration plates for boats.

**Engrossed.** Chapter 171, Laws of 1963.

HB 330, appointment of a deputy treasurer for the county of Rockingham.

**Engrossed.** Chapter 93, Laws of 1963.

HB 331, audit of county books by tax commission.

**Killed.**

HB 332, practice of dentistry & registration provisions.

**Engrossed.** Chapter 162, Laws of 1963.

HB 333, curfew regulations.

**Killed.**

HB 334, imposing tax on income derived from sale of real estate.

**Killed.**

HB 335, discharge or removal from office of county employees.

**Engrossed.** Chapter 113, Laws of 1963.

HB 336, fixing the compensation of moderators in the city of Manchester.

**Engrossed.** Chapter 408, Laws of 1963.

HB 337, hours of labor, one day rest in seven & payment of wages.

**Engrossed.** Chapter 237, Laws of 1963.

HB 338, licensing of schools and shops for hairdressers and manicurists.

**Killed.**

HB 339, assessing abutters for sidewalks.

**Engrossed.** Chapter 109, Laws of 1963.

HB 340, mileage rate for all state employees using privately owned passenger vehicles.

**Engrossed.** Chapter 282, Laws of 1963.

HB 341, apportionment of costs of construction & protection of railroad-highway grade crossing.

**Killed.**

HB 342, relative to laying out of Class IV, V and VI highways by cities and towns.

**Killed.**

HB 343, establishing minimum standards for mobile homes under city building codes.

**Engrossed.** Chapter 137, Laws of 1963.

HB 344, school building aid.

**Killed.**

HB 345, prescribing the time within which certain articles for the warrant are to be presented.

**Engrossed.** Chapter 110, Laws of 1963.

HB 346, authority of police employees.

**Engrossed.** Chapter 123, Laws of 1963.

HB 347, state stores & licenses premises.

**Killed.**

HB 348, to authorize banks to invest in service corporations.

**Killed.**



HB 349, photographic copies as evidence.

**Killed.**

HB 350, legislative attaches.

**Engrossed.** Chapter 141, Laws of 1963.

HB 351, vehicles of non-residents not regularly used on highways.

**Engrossed.** Chapter 133, Laws of 1963.

HB 352, salary of the justice of the Littleton municipal court.

**Killed.**

HB 353, salary of Rockingham county commissioner.

**Engrossed.** Chapter 94, Laws of 1963.

HB 354, licensing of plumbers.

**Killed.**

HB 355, reports for games of beano.

**Killed.**

HB 356, state employees retirement system.

**Killed.**

HB 357, establishing a charter for the City of Manchester.

**Engrossed.** Chapter 448, Laws of 1963.

HB 358, time for filing of permanent journal.

**Engrossed.** Chapter 74, Laws of 1963.

HB 359, salary of Rockingham County attorney.

**Engrossed.** Chapter 95, Laws of 1963.

HB 360, salt water smelt & salt water bass.

**Killed.**

HB 361, prohibiting hunting along a highway.

**Killed.**

HB 362, relating to minors.

**Killed.**

HB 363, acquisition of certain dams & water rights on Contoocook River by water resources board.

**Engrossed.** Chapter 304, Laws of 1963.

HB 364, City charter of Concord.

**Engrossed.** Chapter 422, Laws of 1963.

HB 365, definitions under the teachers' retirement system.  
**Engrossed.** Chapter 75, Laws of 1963.

HB 366, establishing a comprehensive system of district courts.

**Engrossed.** Chapter 331, Laws of 1963.

HB 367, salary of & amount of fees to be collected by the Register of Deeds for Rock. Cty.

**Engrossed.** Chapter 201, Laws of 1963.

HB 368, establishing the department of state police.

**Killed.**

HB 369, assistance for families & business displaced by highway construction or reconstruction projects.

**Killed.**

HB 370, purity of food & drugs.

**Engrossed.** Chapter 193, Laws of 1963.

HB 371, curfew regulations in Rochester.

**Engrossed.** Chapter 182, Laws of 1963.

HB 372, basic work week for state employees & overtime pay for extra work.

**Killed.**

HB 373, authorizing the Maine-N. H. Interstate Bridge Authority to prepare plans for an additional bridge connecting Portsmouth, N. H. & Kittery, Me.

**Killed.**

HB 374, granting tenure to the Superintendent of the Strafford County Farm.

**Engrossed.** Chapter 169, Laws of 1963.

HB 375, Veterinarians.

**Engrossed.** Chapter 102, Laws of 1963.

HB 376, establishing the elevator inspection law.

**Referred to Legislative Council.**

HB 377, Congressional districts.

**Killed.**

HB 378, reporting after motor vehicle accident.

**Killed.**

HB 379, rights of owner on land which has been posted against hunting.

**Killed.**

HB 380, elk, deer and moose illegally taken.

**Killed.**

HB 381, compensation for members of fish and game commission.

**Killed.**

HB 382, requiring registration for physical therapists.

**Engrossed.** Chapter 146, Laws of 1963.

HB 383, open season for taking brook trout.

**Killed.**

HB 384, gross weight of certain vehicles.

**Engrossed.** Chapter 202, Laws of 1963.

HB 385, minimum wages.

**Engrossed.** Chapter 203, Laws of 1963.

HB 386, increasing tax on tobacco.

**Killed.**

HB 387, conflict of interest in sale of liquor and alcoholic beverages.

**Killed.**

HB 388, Charter of Mount St. Mary's Convent of the Sisters of Mercy of Manchester & changing name of said corp. to Mt. St. Mary College.

**Engrossed.** Chapter 387, Laws of 1963.

HB 389, establishing state-wide library development program.

**Engrossed.** Chapter 334, Laws of 1963.

HB 390, authorize change of name of Wentworth Hospital & Wentworth-Dover City Hospital.

**Engrossed.** Chapter 425, Laws of 1963.

HB 391, motor vehicle operation & registration.

**Engrossed.** Chapter 184, Laws of 1963.

HB 392, sale of insurance in connection with certain transactions.

**Killed.**

HB 393, crediting state aid to school districts.

**Killed.**

HB 394, validation of deeds lacking witnesses.

**Engrossed.** Chapter 65, Laws of 1963.

HB 395, directing the improvement of highways in certain towns.

**Killed.**

HB 396, disposition of so-called breakage under pari mutual pools.

**Killed.**

HB 397, restricting the sale of liquor or beverages on election days while the polls are open.

**Killed.**

HB 398, policemen's retirement system.

**Engrossed.** Chapter 238, Laws of 1963.

HB 399, salary of the justices of Rochester Municipal Court.

**Engrossed.** Chapter 257, Laws of 1963.

HB 400, to provide group life insurance & group hospital medical & surgical care for state employees, their families, and for retired state employees and their spouses.

**Engrossed.** Chapter 327, Laws of 1963.

HB 401, training of fire fighters.

**Engrossed.** Chapter 124, Laws of 1963.

HB 402, posting lands against trespass.

**Engrossed.** Chapter 262, Laws of 1963.

HB 403, motor vehicle financial responsibility.

**Killed.**

HB 404, salaries of mayor & councilmen of the City of Laconia.

**Engrossed.** Chapter 414, Laws of 1963.

HB 405, hunting on uncultivated land.

**Killed.**

HB 406, establishing a police commission for the City of Somersworth.

**Killed.**

HB 407, relating to salaries of the Somersworth City Council.

**Engrossed.** Chapter 423, Laws of 1963.

HB 408, Board of Water Commissioners of the City of Somersworth.

**Engrossed.** Chapter 441, Laws of 1963.

HB 409, exempt from inheritance tax property passing to an adopted grandchild.

**Engrossed.** Chapter 112, Laws of 1963.

HB 410, investments of guardians & conservators.

**Engrossed.** Chapter 66, Laws of 1963.

HB 411, providing additional exemption from income tax for persons over sixty-five years of age.

**Killed.**

HB 412, rates for use of facilities for skiing at Cannon Mt. & Mt. Sunapee.

**Killed.**

HB 413, emergency lights on motor vehicles & penalty for vehicle overload.

**Engrossed.** Chapter 254, Laws of 1963.

HB 414, operation of motor boats by certain minors.

**Engrossed.** Chapter 138, Laws of 1963.

HB 415, bonding county employees.

**Engrossed.** Chapter 243, Laws of 1963.

HB 416, minimum speed regulations for operation of motor vehicles.

**Killed.**

HB 417, chapter RSA 183 as amended by 1955, 241:2 and other matters.

**Killed.**

HB 418, season for taking wild deer.

**Killed.**

HB 419, school tax in unincorporated places, unorganized towns & towns where by act of the Legislature the school districts have been abolished and the abolition of certain school districts.

**Engrossed.** Chapter 147, Laws of 1963.

HB 420, extending the appropriation for marriage counseling referral service.

**Engrossed.** Chapter 211, Laws of 1963.

HB 421, fees for motor vehicles under motor vehicle junk license.

**Engrossed.** Chapter 125, Laws of 1963.

HB 422, unlawful use of motor vehicle operator's licenses.

**Engrossed.** Chapter 150, Laws of 1963.

HB 423, taking shiners by nets.

**Killed.**

HB 424, water works in the town of Greenville.

**Engrossed.** Chapter 415, Laws of 1963.

HB 425, Rye Water District.

**Engrossed.** Chapter 391, Laws of 1963.

HB 426, provide reduced airways toll on jet fuel.

**Referred to 1965 Legislature.**

HB 427, to provide per diem for members of the aeronautics commission & making special appropriation for the probation dept.

**Engrossed.** Chapter 317, Laws of 1963.

HB 428, County Commissioner districts for the County of Coos.

**Killed.**

HB 429, payment to certain persons for loss or damage to property caused by the Merrimack River flood control compact.

**Killed.**

HB 430, providing for control of certain aquatic nuisances on Lake Winnisquam.

**Engrossed.** Chapter 279, Laws of 1963.

HB 431, provide funds for public access roads & other benefits for recreational use of N. H. lakes, ponds and rivers.

**Killed.**

HB 432, number of ballots to be printed for the primary election.

**Engrossed.** Chapter 76, Laws of 1963.

HB 433, recording devises of real estate in the registry of deeds.

**Killed.**

HB 434, minimum wages of employees in public works.

**Engrossed.** Chapter 286, Laws of 1963.

HB 435, sewerage system in the City of Somersworth.

**Engrossed.** Chapter 442, Laws of 1963.

HB 436, motor vehicle & boat number plates.

**Killed.**

HB 437, permitted length of motor vehicles.

**Killed.**

HB 438, highway construction aid to towns.

**Killed.**

HB 439, continuing appropriation for expansion of state park system.

**Engrossed.** Chapter 287, Laws of 1963.

HB 440, purchase of sand or gravel from the bed of public waters.

**Referred to Legislative Council.**

HB 441, provide for issuance of air carrier certificates of public convenience and necessary for interstate air transportation.

**Killed.**

HB 442, sale of state land at Intervale Ski area.

**Engrossed.** Chapter 126, Laws of 1963.

HB 443, legalizing proceedings at the town meeting on Mar. 12, 1963 in the town of Bow.

**Engrossed.** Chapter 403, Laws of 1963.

HB 444, legalizing election of officers at town meeting on Mar. 12, 1963 in the town of Milton.

**Engrossed.** Chapter 404, Laws of 1963.

HB 445, Lancaster-Whitefield cooperative school district.

**Engrossed.** Chapter 395, Laws of 1963.

HB 446, sick leave for public school teachers.

**Killed.**

HB 447, village districts.

**Killed.**

HB 448, conveyance of part of Rye Harbor reservation to the Town of Rye.

**Engrossed.** Chapter 161, Laws of 1963.

HB 449, on-sale permits for alcoholic beverages.

**Engrossed.** Chapter 158, Laws of 1963.

HB 450, appointment of inspectors & police power of personnel.

**Killed.**

HB 451, compensation of the director of aeronautics.

**Killed.**

HB 452, a sales and use tax law.

**Killed.**

HB 453, Government of City of Lebanon.

**Killed.**

HB 454, preservation of wooden covered bridges.

**Engrossed.** Chapter 96, Laws of 1963.

HB 455, tobacco tax license fees.

**Killed.**

HB 456, weights & lengths of certain vehicles.

**Engrossed.** Chapter 189, Laws of 1963.

HB 457, increasing fees for fish & game licenses.

**Killed.**

HB 458, hunting on private lands.

**Killed.**

HB 459, Powers of Belknap College.

**Engrossed.** Chapter 416, Laws of 1963.

HB 460, securing federal assistance in the protection of the shore line at Wallis Sands.

**Engrossed.** Chapter 33, Laws of 1963.

HB 461, school attendance.

**Killed.**



HB 462, repealing certain taxes & providing for additional revenue of the state, including a retail sales tax.

**Killed.**

HB 463, tenure of office of the Chief of Police of the City of Dover.

**Engrossed.** Chapter 424, Laws of 1963.

HB 464, establishing a consumers' counsel.

**Killed.**

HB 465, posting warrants for election of school district officers at town meeting.

**Engrossed.** Chapter 195, Laws of 1963.

HB 466, extradition of juveniles.

**Engrossed.** Chapter 170, Laws of 1963.

HB 467, use of bond, proceeds & temporary loans under municipal finance act.

**Engrossed.** Chapter 151, Laws of 1963.

HB 468, revocation & suspension of drivers' licenses.

**Killed.**

HB 469, rescinding provisions for adoption of town manager plans.

**Engrossed.** Chapter 103, Laws of 1963.

HB 470, a referendum for dissolving the Hillsborough Bridge Village Fire Precinct & transferring its functions to the Town of Hillsborough.

**Engrossed.** Chapter 406, Laws of 1963.

HB 471, adopting certain provisions of the uniform vehicle code.

**Engrossed.** Chapter 330, Laws of 1963.

HB 472, chemical test for intoxication.

**Killed.**

HB 473, reducing the time for presentation of claims in the administration of insolvent estates.

**Engrossed.** Chapter 148, Laws of 1963.

HB 474, judicial review of orders transferring incorrigibles from industrial school to other state institutions.

**Engrossed.** Chapter 172, Laws of 1963.

HB 475, trustee process on banks & similar corporations.  
**Engrossed.** Chapter 321, Laws of 1963.

HB 476, grading, marketing and sale of eggs.  
**Killed.**

HB 477, members of the public utilities commission.  
**Killed.**

HB 478, Beaver Brook Flood Control Project.  
**Engrossed.** Chapter 196, Laws of 1963.

HB 479, cocktail lounges in restaurants.  
**Engrossed.** Chapter 206, Laws of 1963.

HB 480, sale of liquor in restaurants.  
**Killed.**

HB 481, classification of surface waters of Pemigewasset river watershed.  
**Killed.**

HB 482, lending institutions holding funds on mortgaged real estate for the payment of taxes.  
**Killed.**

HB 483, providing for the acquisition of certain water rights & dams controlling the headwaters of the Salmon Falls River.

**Engrossed.** Chapter 207, Laws of 1963.

HB 484, special weight limits for trucks hauling forest products during winter months.  
**Killed.**

HB 485, building & loan associations.  
**Engrossed.** Chapter 313, Laws of 1963.

HB 486, obscene literature.  
**Referred to Legislative Council & Judicial Council.**

HB 487, purchase of liquor by state liquor commission.  
**Engrossed.** Chapter 332, Laws of 1963.

HB 488, hours for selling alcoholic beverages be uniform throughout the state.  
**Killed.**

HB 489, legalizing certain procedures at the 1962 annual meeting in the town of Conway.

**Engrossed.** Chapter 405, Laws of 1963.

HB 490, renumbering the Rockingham county commissioner district.

**Killed.**

HB 491, limiting the taking of deer to certain sections of the state.

**Killed.**

HB 492, term of office of town clerks.

**Killed.**

HB 493, compensation of the special justice for Portsmouth Municipal courts.

**Engrossed.** Chapter 114, Laws of 1963.

HB 494, compensation of state employees engaged in snow removal.

**Engrossed.** Chapter 227, Laws of 1963.

HB 495, to legalize greyhound racing in N. H. & to establish a state greyhound racing commission.

**Killed.**

HB 496, legalizing the proceedings at the annual town meeting & the annual precinct meeting in Farmington.

**Engrossed.** Chapter 397, Laws of 1963.

HB 497, restoration to service under the teachers' retirement system.

**Engrossed.** Chapter 104, Laws of 1963.

HB 498, small loans.

**Referred to Bank Advisory Board.**

HB 499, taxation of railroads.

**Referred to Legislative Council.**

HB 500, real estate brokers.

**Engrossed.** Chapter 269, Laws of 1963.

HB 501, certain state officials.

**Killed.**

HB 502, fire protection at Plymouth Teachers College.

**Killed.**

HB 503, removing the limitation of recovery of damages in cases of wrongful death.

**Killed.**

HB 504, inter-banks deposits.

**Engrossed.** Chapter 175, Laws of 1963.

HB 505, membership of the school board of Tilton & Northfield Union School District.

**Engrossed.** Chapter 431, Laws of 1963.

HB 506, school board of the Lincoln-Woodstock cooperative school district.

**Killed.**

HB 507, printing ballots.

**Engrossed.** Chapter 105, Laws of 1963.

HB 508, house trailers.

**Engrossed.** Chapter 149, Laws of 1963.

HB 509, publication of town reports.

**Killed.**

HB 510, study for improved pesticides controls.

**Engrossed.** Chapter 263, Laws of 1963.

HB 511, increasing fees for fish & game licenses.

**Killed.**

HB 512, abolishing the state recreational fund & relative to state financing.

**Killed.**

HB 513, grants to cooperative school districts.

**Killed.**

HB 514, fees in the superior court.

**Engrossed.** Chapter 219, Laws of 1963.

HB 515, distribution of normal yield taxes.

**Engrossed.** Chapter 152, Laws of 1963.

HB 516, penalties for violation of meter parking at Hampton Beach.

**Engrossed.** Chapter 176, Laws of 1963.

HB 517, City charter of Portsmouth.

**Killed.**

HB 518, Hillsborough County convention.

**Killed.**

HB 519, construction of buildings to be used by the public.

**Killed.**

HB 520, duties of the tax commission in equalization of taxes.

**Killed.**

HB 521, certain benefits for teachers.

**Killed.**

HB 522, prohibiting carrying pistols or revolvers while hunting for deer.

**Killed.**

HB 523, sale of liquor and beverages in first-class restaurants.

**Killed.**

HB 524, empowering the state to reimburse towns for loss of taxes under certain circumstances.

**Engrossed.** Chapter 308, Laws of 1963.

HB 525, setting a date for application for motor vehicle number plates.

**Killed.**

HB 526, authorizing associations to make collateral & unsecured loans.

**Killed.**

HB 527, assessment of taxes for the Tilton-Northfield Fire Precinct.

**Engrossed.** Chapter 409, Laws of 1963.

HB 528, investment of funds of the University of New Hampshire.

**Engrossed.** Chapter 177, Laws of 1963.

HB 529, liquor sales representatives.

**Killed.**

HB 530, regulating the filing of liens on motor vehicles.

**Killed.**

HB 531, unemployment compensation.

**Engrossed.** Chapter 194, Laws of 1963.

HB 532, classification of temporary & seasonal state employees.

**Engrossed.** Chapter 309, Laws of 1963.

HB 533, sale of furniture.

**Killed.**

HB 534, public assistance fund.

**Killed.**

HB 535, eliminating the office of farm supervisor & providing for additional assistant business supervisor.

**Engrossed.** Chapter 132, Laws of 1963.

HB 536, expenses of the public utilities commission.

**Engrossed.** Chapter 322, Laws of 1963.

HB 537, abolishing the motor boat fund.

**Referred to Legislative Council.**

HB 538, subdivision of land.

**Engrossed.** Chapter 163, Laws of 1963.

HB 539, hunting & fishing licenses for personnel stationed or attached to naval shipyard.

**Engrossed.** Chapter 323, Laws of 1963.

HB 540, providing for a board of regents for the state educational system.

**Killed.**

HB 541, compromise settlement of an infant's claim.

**Killed.**

HB 542, settlements in behalf of minors.

**Engrossed.** Chapter 319, Laws of 1963.

HB 543, submission to voters of Littleton of question on adoption of act providing for Littleton Parking District.

**Engrossed.** Chapter 417, Laws of 1963.

HB 544, home rule by authorizing adoption of city charters, eliminating certain commissions, and providing for governmental units to contract for the performance of various municipal functions.

**Engrossed.** Chapter 275, Laws of 1963.

HB 545, making appropriations for the expenses of certain depts. of the state for year ending Jun. 30, 1964.

**Engrossed.** Chapter 198, Laws of 1963.

HB 546, making appropriations for the expenses of certain depts. of the state for the year ending June 30, 1965.

**Engrossed.** Chapter 199, Laws of 1963.

HB 547, creating a single Board of Trustees for the State Colleges & Universities.

**Killed.**

HB 548, final payments to contractors on public contracts.

**Referred to Legislative Council.**

HB 549, compensation of policemen in the city of Portsmouth.

**Engrossed.** Chapter 426, Laws of 1963.

HB 550, fire prevention & fire protection in mobile homes & travel trailers.

**Killed.**

HB 551, tree wardens.

**Engrossed.** Chapter 153, Laws of 1963.

HB 552, bridges on Class II highways.

**Engrossed.** Chapter 270, Laws of 1963.

HB 553, establish a new apportionment for the assessment of public taxes.

**Engrossed.** Chapter 228, Laws of 1963.

HB 554, provide additional funds for public education.

**Killed.**

HB 555, authorizing matching federal payments for fiscal year 1965 under Manpower Development & Training Act of 1962.

**Killed.**

HB 556, incorporation of the Upper Valley Development Council, Inc.

**Engrossed.** Chapter 435, Laws of 1963.

HB 557, use of secondhand parts in the repair of motor vehicles.

**Killed.**

HB 558, time of inserting articles in town warrants.

**Killed.**

HB 559, fees to be charged for recording in the office of the register of deeds for Rockingham County.

**Killed.**

HB 560, authorizing the construction of a civil defense emergency operating center by the county of Rockingham.

**Killed.**

HB 561, liens against property of recipients of direct relief from towns and counties.

**Killed.**

HB 562, affecting state employees required to be on stand-by duty.

**Killed.**

HB 563, establishment of authorized regional enrollment (AREA) schools & creating the N. H. school building authority.

**Engrossed.** Chapter 277, Laws of 1963.

HB 564, establish the law of comparative fault.

**Killed.**

HB 565, revise the law relating to cooperative school districts.

**Engrossed.** Chapter 258, Laws of 1963.

HB 566, Beagle field trials.

**Engrossed.** Chapter 299, Laws of 1963.

HB 567, notices of & time for holding town caucuses.

**Engrossed.** Chapter 280, Laws of 1963.

HB 568, State song.

**Engrossed.** Chapter 208, Laws of 1963.

HB 569, aid for emotionally disturbed children.

**Killed.**

HB 570, transporting garbage or waste into this state.

**Killed.**

HB 571, education expenses for dependent children, to be financed by an increase in the tobacco tax.

**Killed.**



HB 572, reconstituted beer.

**Killed.**

HB 573, service exemption from taxation.

**Killed.**

HB 574, stock in trade tax.

**Engrossed.** Chapter 239, Laws of 1963.

HB 575, ranks & qualifications of personnel of division of state police.

**Engrossed.** Chapter 157, Laws of 1963.

HB 576, appointment of assistant election officials in towns.

**Engrossed.** Chapter 283, Laws of 1963.

HB 577, building codes.

**Killed.**

HB 578, safety & health of employees.

**Engrossed.** Chapter 220, Laws of 1963.

HB 579, amend the charters of various savings banks.

**Engrossed.** Chapter 429, Laws of 1963.

HB 580, repeal charters of certain corporations.

**Engrossed.** Chapter 438, Laws of 1963.

HB 581, workmen's compensation.

**Engrossed.** Chapter 328, Laws of 1963.

HB 582, legislative mileage allowances.

**Engrossed.** Chapter 284, Laws of 1963.

HB 583, providing state aid for transportation of school pupils in school districts having no schools.

**Killed.**

HB 584, Belknap County Recreational Area.

**Engrossed.** Chapter 446, Laws of 1963.

HB 585, establishing a traffic & parking commission in the city of Laconia.

**Killed.**

HB 586, extending the time when expenditures can be made from certain aeronautical appropriations.

**Engrossed.** Chapter 255, Laws of 1963.

HB 587, to allow the sale of liquor for on-premise consumption.

**Killed.**

HB 588, authorizing training of auxiliary state police.

**Killed.**

HB 589, group insurance.

**Engrossed.** Chapter 314, Laws of 1963.

HB 590, transfer of positions in the dept. of safety.

**Killed.**

HB 591, providing for per-pupil grants to local school districts.

**Killed.**

HB 592, establishing an interim commission to consider a substitute for the stock in trade tax.

**Governor Pocket Vetoed.**

HB 593, legal assistance for land acquisition.

**Engrossed.** Chapter 209, Laws of 1963.

HB 594, authorizing N. H. College of Accounting & Commerce to grant degrees.

**Engrossed.** Chapter 428, Laws of 1963.

HB 595, legalizing action relative to zoning at various town meetings.

**Engrossed.** Chapter 432, Laws of 1963.

HB 596, adopting the Uniform Narcotic Drug Act & relating to the pharmacy commission.

**Engrossed.** Chapter 276, Laws of 1963.

HB 597, adopting a state radiation control program.

**Engrossed.** Chapter 229, Laws of 1963.

HB 598, building war shelters in the city of Manchester.

**Killed.**

HB 599, counsel for indigent criminal defendants.

**Engrossed.** Chapter 221, Laws of 1963.

HB 600, police commissioners of the city of Dover.

**Killed.**

HB 601, counting of votes at biennial elections.

**Engrossed.** Chapter 285, Laws of 1963.

HB 602, prohibiting the operation of certain businesses on legal holidays.

**Killed.**

HB 603, to expand the authority of the aeronautics commission & make appropriations therefor.

**Killed.**

HB 604, Dover city charter.

**Engrossed.** Chapter 439, Laws of 1963.

HB 605, Dublin Pond.

**Killed.**

HB 606, mosquito control.

**Killed.**

HB 607, revision of supervisory unions & reassignment of personnel.

**Engrossed.** Chapter 305, Laws of 1963.

HB 608, providing compensation for persons damaged by limitations on signs on interstate highways.

**Killed.**

HB 609, usurious interest rates.

**Referred to Bank Advisory Board.**

HB 610, progressive time contracts.

**Referred to Judicial Council.**

HB 611, contested elections.

**Engrossed.** Chapter 240, Laws of 1963.

HB 612, re-examination of motor vehicle operators over 70 years of age.

**Engrossed.** Chapter 271, Laws of 1963.

HB 613, penalties for violations of the municipal budget act.

**Killed.**

HB 614, insurance on certain state real estate & personal property of historic value.

**Killed.**

HB 615, purchase of supplies by the department of resources & economic development.

**Engrossed.** Chapter 210, Laws of 1963.

HB 616, definition of an elementary school & school district liability.

**Engrossed.** Chapter 288, Laws of 1963.

HB 617, redevelopment plans & urban renewal plans.

**Killed.**

HB 618, availability to public of public records & meetings.

**Killed.**

HB 619, revise the charter of the city of Nashua.

**Killed.**

HB 620, citizens job protections.

**Referred to Legislative Council.**

HB 621, production, distribution & sale of milk & other dairy products.

**Engrossed.** Chapter 289, Laws of 1963.

HB 622, private water supplies.

**Killed.**

HB 623, conflicts of interests of public officials & employees.

**Referred to Legislative Council.**

HB 624, rendering incompatible the offices of full-time salaried police officer & deputy sheriff.

**Killed.**

HB 625, motor vehicle road toll refunds for transit companies operating within municipalities and providing for the incorporation of a public authority for the purpose of the operation of such transit companies.

**Engrossed.** Chapter 278, Laws of 1963.

HB 626, marine fisheries.

**Governor Pocket Vetoed.**

HB 627, to allow towns to increase their boards of selectmen.

**Killed.**

HB 628, relative to chiropractic.

**Engrossed.** Chapter 222, Laws of 1963.

HB 629, practice of barbering.  
**Referred to Legislative Council.**

HB 630, providing for collection of taxes on property being re-assessed.

**Engrossed.** Chapter 272, Laws of 1963.

HB 631, political expenditures by special committees.  
**Killed.**

HB 632, authorizing the dissolution of the Penacook school district and uniting the same with union school district of Concord.

**Engrossed.** Chapter 440, Laws of 1963.

HB 633, veterans' service exemption.

**Engrossed.** Chapter 324, Laws of 1963.

HB 634, providing for a committee to study the possibility of permitting cities & towns to impose special local taxes.

**Killed.**

HB 635, suspending the operation of the milk control act.

**Killed.**

HB 636, providing for the widening & reconstruction of sidewalks on state-owned land at Hampton Beach.

**Killed.**

HB 637, auto sales financing.

**Referred to Bank Advisory Board.**

HB 638, relocation of road in Rye.

**Engrossed.** Chapter 449, Laws of 1963.

HB 639, to benefit students at Keene teachers college.

**Killed.**

HB 640, providing for the employment & salaries of professional personnel of the state board of education at the state teachers' colleges.

**Killed.**

HB 641, business corporation law.

**Engrossed.** Chapter 290, Laws of 1963.

HB 642, disclosure of vital statistics records.

**Referred to Legislative Council.**

HB 643, make-up of election ballots.

**Referred to Legislative Council.**

HB 644, mechanics liens.

**Killed.**

HB 645, civil air patrol.

**Killed.**

HB 646, legalizing the proceedings relating to the annexation of the Sandwich School District to the Inter-Lakes Cooperative School District.

**Engrossed.** Chapter 433, Laws of 1963.

HB 647, life insurance limits in loans for educational purposes.

**Killed.**

HB 648, milk control & removing retail milk price controls.

**Killed.**

HB 649, construction of an access road to Ragged Mountain in the town of Danbury.

**Killed.**

HB 650, Lisbon Village District.

**Engrossed.** Chapter 436, Laws of 1963.

HB 651, providing for an additional appropriation for the expenses of the Legislature.

**Engrossed.** Chapter 139, Laws of 1963.

HB 652, US Trade Expansion act of 1962 & Un-employment Compensation.

**Killed.**

HB 653, making appropriations for capital improvements, long term repairs & deferred maintenance for the state of New Hampshire.

**Engrossed.** Chapter 251, Laws of 1963.

HB 654, additional appropriations to meet certain contractual deficiencies.

**Engrossed.** Chapter 230, Laws of 1963.

## HOUSE JOINT RESOLUTIONS

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HJR 1, interim Commission on Education.

**Engrossed.** Chapter 335, Laws of 1963.

HJR 2, in favor of estate of Edward W. Morris.

**Engrossed.** Chapter 337, Laws of 1963.

HJR 3, appropriation toward reconstruction of Fort at Number Four.

**Referred to Governor & Council.**

HJR 4, in favor of Lucille Webb.

**Engrossed.** Chapter 338, Laws of 1963.

HJR 5, funds for payt. expenses binding & distributing Journal 1959 con con.

**Engrossed.** Chapter 342, Laws of 1963.

HJR 6, operating expenses of educational TV station WENH-TV Channel 11, Durham.

**Engrossed.** Chapter 370, Laws of 1963.

HJR 7, relating to the estate of Patrick N. H. O'York.

**Engrossed.** Chapter 336, Laws of 1963.

HJR 8, interim tax study commission.

**Killed.**

HJR 9, in favor of Harry L. Hurlburt.

**Engrossed.** Chapter 340, Laws of 1963.

HJR 10, providing supplemental appropriation for education of the deaf.

**Engrossed.** Chapter 366, Laws of 1963.

HJR 11, providing an appropriation for Civil War Centennial Commission.

**Engrossed.** Chapter 364, Laws of 1963.

HJR 12, provide for purchase of suction dredge for N. H. Port Auth.

**Killed.**

HJR 13, in favor of Mt. Washington Observatory.

**Engrossed.** Chapter 359, Laws of 1963.

HJR 14, in favor of the N. H. Veterans Assoc.

**Engrossed.** Chapter 343, Laws of 1963.

HJR 15, Valley Forge memorial.

**Engrossed.** Chapter 346, Laws of 1963.

HJR 16, providing supplemental appropriation for school building aid.

**Engrossed.** Chapter 347, Laws of 1963.

HJR 17, an inventory of real property owned by the state.

**Engrossed.** Chapter 349, Laws of 1963.

HJR 18, in favor of John Wakefield.

**Killed.**

HJR 19, providing funds for completion of forest conservation aid to heavily timbered town payments.

**Engrossed.** Chapter 365, Laws of 1963.

HJR 20, in favor of Albert Sharp.

**Killed.**

HJR 21, control of the Dutch elm disease.

**Killed.**

HJR 22, in favor of Fred & Esther Reed.

**Engrossed.** Chapter 354, Laws of 1963.

HJR 23, in favor of Roland LaPerle.

**Engrossed.** Chapter 355, Laws of 1963.

HJR 24, in favor of John & Thomas J. McIntyre.

**Killed.**

HJR 25, Bell Tower at Cathedral of the Pines.

**Killed.**

HJR 26, in favor of Albert E. Jones & Theresa Jones.

**Engrossed.** Chapter 351, Laws of 1963.

HJR 27, in favor of Arthur & Helen Webster.

**Engrossed.** Chapter 352, Laws of 1963.

HJR 28, in favor of Chanel L. Lavoie.

**Engrossed.** Chapter 353, Laws of 1963.

HJR 29, providing additional funds for cancer commission.

**Engrossed.** Chapter 356, Laws of 1963.

HJR 30, mosquito problem in the seacoast area.

**Killed.**



HJR 31, providing for a deficiency appropriation for the state hospital.

**Engrossed.** Chapter 348, Laws of 1963.

HJR 32, providing for a deficiency appropriation for the division of bldgs. & grounds.

**Engrossed.** Chapter 360, Laws of 1963.

HJR 33, providing funds for increase in daily rate paid to nursing homes for care of welfare recipients.

**Referred to Legislative Council.**

HJR 34, in favor of Marcus E. Diffenderfer.

**Engrossed.** Chapter 363, Laws of 1963.

HJR 35, in favor of Alfred Loranger.

**Engrossed.** Chapter 361, Laws of 1963.

HJR 36, certain lands in the town of Tamworth.

**Engrossed.** Chapter 362, Laws of 1963.

HJR 37, in favor of the estate of James A. Purington.

**Engrossed.** Chapter 357, Laws of 1963.

HJR 38, in favor of the estate of Leon J. Littlefield.

**Engrossed.** Chapter 358, Laws of 1963.

HJR 39, providing for an investigation & study by a special commission relative to loans & credit.

**Killed.**

HJR 40, in favor of Earl Hill of Pittsfield.

**Engrossed.** Chapter 369, Laws of 1963.



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## ERRATA

P. 449, Heading entitled "Amendment to Amendment to HB 285" — should read "Amendment to Amendment to HB 286."

P. 490, Bill numbered 324 — should be numbered 325.

P. 768, Third Readings — ref. to SJR 37 and 38 — should be HJR 37 and 38.

















